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( DEPARTMENT OF EXTERNAL AFFAIRS )

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CONFERENCE SERIES, 1946

No. 1

## REPORT

on the

FIRST PART OF THE FIRST SESSION

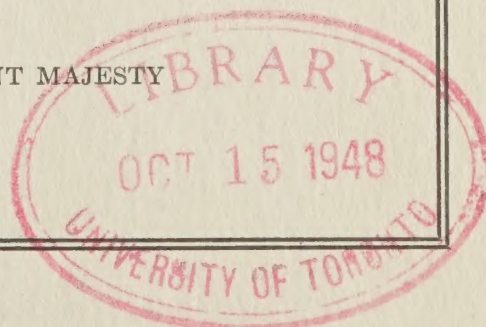
of the

GENERAL ASSEMBLY OF  
THE UNITED NATIONS

Held in London, January 10 - February 14, 1946



OTTAWA  
EDMOND CLOUTIER  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1946









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DEPARTMENT OF EXTERNAL AFFAIRS

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*To His Excellency  
the Governor General in Council*

YOUR EXCELLENCY:

I have the honour to lay before Your Excellency the attached report on the first part of the First Session of the General Assembly of the United Nations, which was held in London from January 10 to February 14, 1946. The report was transmitted to me by the Right Honourable L. S. St. Laurent, Minister of Justice and Chairman of the Canadian Delegation to the General Assembly.

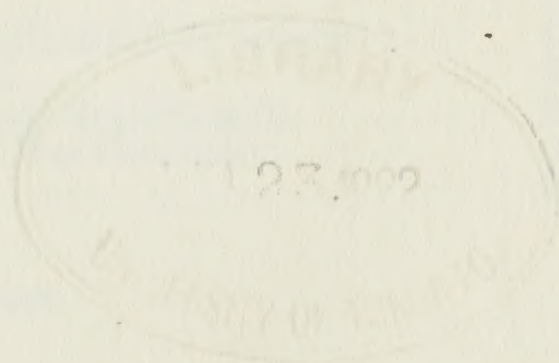
The attached report also contains an account of the preparatory work of the Executive Committee and the Preparatory Commission of the United Nations, which held their meetings in London from August 16 to October 27, 1945, and from November 24 to December 23, 1945, respectively.

I have the honour to be, Sir,

Your Excellency's obedient servant,

W. L. MACKENZIE KING,  
*Secretary of State for External Affairs.*

OTTAWA, April 24, 1946.









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# REPORT ON THE FIRST PART OF THE FIRST SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS

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## SECTION I

### INTRODUCTION

On June 26, 1945, the Charter of the United Nations was signed at San Francisco. This act concluded the first stage in the creation of the United Nations.\* The fundamental principles of the organization designed to maintain peace and to promote co-operation among the nations had been agreed upon by the fifty states assembled at the San Francisco Conference.

The second stage in creating a functioning organization began immediately. On the day the United Nations Charter was signed, the same fifty nations signed an Agreement on Interim Arrangements establishing machinery to bring the Charter into effective operation. The Agreement provided for the setting up of a Preparatory Commission, consisting of all the Members of the Organization, and of an Executive Committee of fourteen members to exercise the functions and powers of the Commission when the latter body was not in session.

Subsequently, the Executive Committee recommended that the First Session of the General Assembly should be divided into two parts. The first part, which was held in London from January 10th to February 14, 1946, completed the organizational work for the United Nations, in order that the second part of the First Session, which will begin early in September of this year, should be free to deal with main problems of policy.

This report contains an account of the three organizational stages in the setting up of the United Nations. The work of the Executive Committee, the Preparatory Commission and the first part of the First Session of the General Assembly is discussed in Section II as one continuous process, under headings which correspond in the main to the titles of the technical committees of the Preparatory Commission. Section III of the report contains an account of the elections in the General Assembly to the various organs of the United Nations. Section IV deals with the main problems of policy which came up at the first part of the First Session of the General

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\* The Report of the Canadian delegation to the San Francisco Conference has been published as Conference Series 1945, No. 2. Copies may be obtained from the King's Printer, Ottawa.



Assembly. Appendix A contains the text of the speech delivered by the Rt. Hon. L. S. St. Laurent, Chairman of the Canadian delegation, at the plenary session of the General Assembly on January 18, 1946, and the text of the speech given by the Hon. Paul Martin before the Economic and Social Council on January 29, 1946. The texts of the more important resolutions passed by the General Assembly will be found in Appendix B. Appendix C contains the list of the members of the Canadian delegations to the Executive Committee, the Preparatory Commission and the first part of the First Session of the General Assembly. In Appendix D are listed the principal officers of the General Assembly, the members of the Security Council, of the Economic and Social Council, and the judges of the International Court of Justice, as well as the committees and commissions established by the United Nations.

While Canada was represented at all the three organizational stages and the Canadian delegations played an important role in the solution of the many problems involved, the report is not confined to a statement of the Canadian point of view, but attempts to give a broader picture of the whole process of bringing the United Nations into existence.

The functions of the Preparatory Commission were defined by the Agreement on Interim Arrangements. These were first, to study and make recommendations on certain problems which could not be handled conveniently at San Francisco; and second, to make all necessary arrangements and preparations for the first sessions of the principal organs of the United Nations. Under the first heading, the Commission was to formulate recommendations concerning the possible transfer of certain functions, activities and assets of the League of Nations to the new Organization; to study the problems involved in bringing the specialized intergovernmental organizations into relationship with the United Nations; and to make studies and recommendations concerning the location of the permanent headquarters of the United Nations. Under the second heading, the Preparatory Commission was required to prepare the provisional agenda for the first sessions of the principal organs of the United Nations and the necessary documentation relating to all the matters on these agenda; to prepare recommendations concerning arrangements for the Secretariat of the Organization; to issue invitations for the nomination of candidates for the International Court of Justice in accordance with the provisions of the Statute of the Court; and finally, to convene the First Session of the General Assembly.

The Executive Committee was composed of representatives of the same fourteen nations which constituted the Executive Committee of the San Francisco Conference—i.e., Australia, Brazil, Canada, Chile, China, Czechoslovakia, France, Iran, Mexico, the Netherlands, Union of Soviet Socialist Republics, United Kingdom, United States and Yugoslavia. It met in London on August 16,

1945, and completed its work on October 27th. Its recommendations and studies were embodied in a detailed report which was submitted for consideration to the full Preparatory Commission. On October 24, 1945, the Charter came into force following the deposit of the required number of ratifications, and the Preparatory Commission met a month later, on November 24th. The Commission subjected the Report of the Executive Committee to detailed study and debate, as a result of which a number of substantial amendments were made in its recommendations. Then the revised Report of the Executive Committee became the Report of the Preparatory Commission. On December 23, 1945, the Preparatory Commission terminated its labours.

The first part of the First Session of the General Assembly, was held from January 10th to February 14, 1946. The Report of the Preparatory Commission was the basic document before the Assembly, and for the most part the latter adopted the recommendations of the Report with little change.

An encouraging aspect of the meetings of the Executive Committee, the Preparatory Commission and the first part of the First Session of the General Assembly was the steady progress made by the various committees in resolving the many difficult technical issues with which they had to deal. This was made possible by the readiness of all the delegations to recognize the validity of the points of view of other delegations, and by their determination to seek solutions which would be generally acceptable. Complete freedom of discussion prevailed even on such delicate issues as the advantages and disadvantages of locating the permanent headquarters in the United States. This was one of the most valuable features of the meetings. It did much to convert the United Nations from a blue print into an effective international centre for harmonizing the actions of nations in the attainment of their common ends.

Throughout these meetings the United Nations enjoyed the generous hospitality of the United Kingdom Government. The excellence of the arrangements was all the more remarkable in view of the fact that the resources of London had been so severely strained by enemy bombing. The admirable manner in which Mr. Gladwyn Jebb, Executive Secretary of the Preparatory Commission, and the temporary secretariat of the United Nations discharged their onerous duties contributed greatly to the success of the meetings. Their competence, devotion and fairness have set a high standard for future sessions of the United Nations.



## SECTION II

### ORGANIZATIONAL PROBLEMS

The work of the Executive Committee and the Preparatory Commission was almost entirely organizational in character. The first part of the First Session of the General Assembly was also intended to be largely organizational, but as it happened, and as was foreseen by the Canadian representatives to the two preparatory bodies, it was found impossible, even had it been desirable, to exclude from consideration the more urgent problems of substance. In the event, the General Assembly spent almost as much time on questions of policy as on organizational problems.

The organizational phase in the establishment of the United Nations is of considerable interest since it was in a sense a review and a test of the principles embodied in the Charter. Discussions of details of application of these principles brought out in a few instances some inadequacies in the Charter. This was particularly so in the case of the Trusteeship Council, which could not be set up at the same time as the other Councils owing to a procedural gap in the Charter. In the great majority of cases, however, the terms of the Charter were found to provide a practicable basis for the creation of an effective organization.

In a number of instances discussions during the organizational phase confirmed the views on general principles which were expressed by the Canadian delegation at the San Francisco Conference. Two issues, in particular, provided the underlying themes of much of the discussion: (1) The problem of reconciling the criteria of personal competence with the representation of different geographical areas in the selection of chairmen of committees and members of the Secretariat. A similar issue arose in the election of states to the Councils. Here it was necessary also to consider the contribution which individual states could make to furthering the purposes of the Organization and at the same time to take into account the need to make the Councils as broadly representative as possible of different geographical areas. (2) The problem of reconciling divergent views of the powers of the General Assembly. Some delegations took a restrictive view of its competence in the field of international peace and security, while others emphasized the position of the Assembly as the principal organ of the United Nations, and maintained that no limitations should be placed upon any of the powers granted to it under the Charter.

## 1. THE GENERAL ASSEMBLY

Differences of views concerning the extent of the Assembly's activities emerged in the discussions concerning its committee structure, its rules of procedure and the agenda for the first part of the First Session.

### *Committee Structure*

Most of the work of the Assembly is done in committees, of which there are four types: main, procedural, standing and *ad hoc* committees. The main committees consider substantive matters referred to them by the plenary meetings of the General Assembly. Since every Member of the United Nations is represented on each of the main committees, they constitute, in effect, the General Assembly divided up for purposes of efficiency and economy into working groups, each dealing with a specified field of activity. Thus the Political and Security Committee considers all matters relating to international security, armaments, membership in the United Nations, and the general principles of international co-operation for the maintenance of peace and security. Similarly, the Economic and Financial Committee is concerned with any economic and financial questions before the Assembly. Six main committees were agreed upon. These are:

- (1) Political and Security Committee;
- (2) Economic and Financial Committee;
- (3) Social, Humanitarian and Cultural Committee;
- (4) Trusteeship Committee;
- (5) Administrative and Budgetary Committee;
- (6) Legal Committee.

In addition to the main committees, procedural committees are required to deal with the organization and conduct of business of the General Assembly. Two of these were set up: the General Committee to assist the President in drawing up the agenda, in co-ordinating the proceedings of the main committees and in conducting the work of the Assembly, and a Credentials Committee to verify the credentials of the delegates. These committees are smaller than the main committees.

Continuing problems which must of necessity be dealt with not only during the sessions of the Assembly but in the intervals between them require the establishment of standing committees. It was agreed that the General Assembly should set up two standing committees: the Advisory Committee for Administrative and Budgetary Questions to assist the main committee in examining the budget of the United Nations, and a Committee on Contributions to report to the General Assembly on the apportionment of the expenses of



the Organization among the Members. At the first part of the First Session only the second of these committees was set up. The Advisory Committee for Administrative and Budgetary Questions will be constituted at the second part of the First Session in September, 1946, when the first annual budget of the United Nations will be voted.

To deal with special matters which do not fall clearly within the competence of any of the committees described above, the General Assembly may at any time set up *ad hoc* committees. Two such committees were established at the first part of the First Session, one to deal with the question of the permanent headquarters of the United Nations and the other to consider the transfer of certain functions and assets of the League of Nations. All Members of the United Nations were represented on the *ad hoc* committees.

Discussions concerning the committee structure of the General Assembly revolved around four main issues: (a) the question whether economic and social questions should be dealt with together or in separate committees; (b) the composition and functions of the General Committee; (c) the proposal of the Netherlands delegation that there should be a standing committee of the General Assembly on peace and security; and (d) the proposal to establish a Nominations Committee which should present to the General Assembly an agreed slate of Vice-Presidents of the Assembly and of chairmen of the various committees.

The Canadian delegations to the Executive and Preparatory Commissions supported the proposal that there should be two committees of the General Assembly, one to deal with economic and the other with social, cultural and humanitarian problems. While recognizing that there might be a certain amount of overlapping between them, the Canadian delegation felt that different types of experience and technical competence would be required for the thorough consideration of such problems as trade, economic stabilization, price levels, and full employment on the one hand, and public health, social insurance, educational standards, and cultural relations on the other. The proposal to set up two committees was supported by the majority of the Preparatory Commission and was adopted by the General Assembly.

There was unanimous agreement that a General Committee should be set up and that its functions should be to assist the President of the General Assembly in drawing up the agenda, in coordinating the proceedings of the main committees of the General Assembly, and in conducting the work of the Assembly. Controversy developed, however, over the composition of this committee and the extent of its powers. Some delegates feared that the General Committee might tend to encroach upon the powers of the General Assembly. They therefore pressed for the widening of the committee



to make it include all the Members. The majority of the delegations, on the other hand, including the Canadian, argued for a smaller committee whose tasks would be strictly technical and procedural. Under the compromise which was finally adopted, the composition of the General Committee was fixed at fourteen members, no two of whom would be nationals of the same state. These fourteen members would be the President, the seven Vice-Presidents of the General Assembly and the chairmen of the six main committees. The functions of the committee were carefully defined as purely advisory, the Assembly retaining full power in its own hands.

The experience of the first part of the First Session of the General Assembly proved the importance of this committee and the necessity of maintaining strictly the limitations on the powers granted to it. There appeared to be some confusion as to the nature of its reports. In several cases, the General Committee took upon itself the responsibility of recommending decisions on policy, rather than reporting back to the Assembly on the procedural aspects of the question. It was not intended, of course, that it should have this power.

The Netherlands proposal that the committee structure of the General Assembly should include a standing committee on peace and security was fully debated by the Preparatory Commission. This committee was intended to function when the General Assembly was not in session, thus reducing the need for special sessions of the Assembly to discuss urgent political problems. While welcoming a discussion of the proposal, the Canadian delegation doubted whether such a committee was needed. The Canadian delegate pointed out that the General Assembly would always have the power under the Charter of taking such action with regard to international peace and security as seemed necessary. If a standing committee proved necessary, the Assembly could appoint it at any time. At the suggestion of the Canadian delegate, the Netherlands proposal was withdrawn.

The proposal of the Executive Committee to set up a Nominations Committee was rejected by a large majority in the Preparatory Commission. The Canadian delegation supported the setting up of this committee on the general grounds that it could best ensure the selection of competent chairmen for the main committees, while at the same time maintaining the principle of equitable geographical distribution. The Canadian delegation emphasized the importance of selecting chairmen of committees who would be able to conduct meetings expeditiously and well; the real work of the Assembly would be done in committees, and the authority of the Assembly would, therefore, depend in a large measure upon the competence and impartiality of the chairmen of its committees. Those who opposed the appointment of a Nominations Committee did so on the grounds that the committee structure of the General Assembly should be kept as simple as possible and that the elections of chairmen should



be kept as much as possible in the hands of the General Assembly itself. The result of the rejection of the proposal for a Nominations Committee was that the five Great Powers acted, in effect, as an informal nominations committee, by agreeing among themselves on slates of officers which were adopted by acclamation. This informal "nominations committee" had all the disadvantages of a formal committee and none of its merits.

### *Rules of Procedure*

The efficiency of any international organization depends to a large extent upon its rules of procedure, which cover such matters as the preparation of the agenda, the order for the conduct of business, the order of voting on main motions and amendments, methods of conducting elections and the functions of the committees. Clear and detailed rules covering all these and related questions can do much to cut down the amount of time consumed in discussions over procedure.

The drawing up of a set of adequate rules for the General Assembly involved the problem of reconciling the constitutional practices and traditions of fifty-one nations. The Executive Committee and the Preparatory Commission drew upon the experience of the League of Nations and of other international organizations, and produced a fairly detailed set of provisional rules of procedure for the General Assembly.

The effectiveness of these rules was subsequently demonstrated by the smooth and expeditious manner in which the meetings of the General Assembly were conducted. For this, a large measure of credit is also due to the skill and authority of the first President of the General Assembly, M. P. H. Spaak, the Foreign Minister of Belgium.

On the other hand, the experience of the First Session of the Assembly made clear the need for greater precision in the drafting of some of the rules and for the addition of new rules, especially for the conduct of business. At its subsequent sessions, the General Assembly will no doubt give further consideration to these matters.

The Preparatory Commission also drew up a set of supplementary provisional rules of procedure for the General Assembly. These were designed to meet the requirements of the First Session. They were made necessary by the decision to divide the First Session of the Assembly into two parts, the first of which would be primarily organizational in character. When they had served their purpose they could be discarded, while the main body of rules would form the core around which the permanent rules of procedure would be built up. One of the supplementary rules proposed by the United States delegation empowered the Economic and Social Council to call

international conferences on matters falling within the competence of the Council, and in particular on international trade and employment, and health.

### *Provisional Agenda*

The contents of the provisional agenda were determined by the recommendation of the Executive Committee as to the nature of the First Session of the General Assembly. Some delegations, especially those of the United States and the Soviet Union, believed that the First Session should be divided into two parts, the first of which should be entirely organizational in character. The Canadian representative argued that, in view of the many pressing world problems which clamoured for attention, the General Assembly could not refuse to deal with problems of substance even at its first meeting. He advocated, therefore, the inclusion in the agenda of an item providing for the discussion of major questions of policy.

The Executive Committee finally recommended that while the first part of the First Session should be primarily organizational, it should also include consideration of such urgent world problems as might be raised by any Member. On the initiative of the United Kingdom delegation, the provisional agenda drawn up by the Preparatory Commission referred specifically to the problem of refugees. The experience of the General Assembly has justified the Canadian position. The Assembly devoted almost as much time to the consideration of urgent problems of policy as to discussions of matters of organization.

Discussions regarding the agenda of the Assembly in the appropriate committee of the Preparatory Commission revolved therefore around three main points: (a) the order in which the various items should be set down; (b) the competence of the General Assembly to discuss any portion of the Report of the Preparatory Commission, and (c) the inclusion in the agenda of an item relating to urgent problems, including the problem of refugees.

After considerable discussion, agreement was reached on the first of these points. With regard to the second point, the Soviet delegation wished the General Assembly to confine its discussion of the Report to those sections which directly concerned the activities of the Assembly, thus, in effect, removing from consideration by the Assembly that section of the Report which dealt with the Security Council. Eventually the compromise proposed by the Canadian delegation, altering the relevant item in the agenda to read "discussion of those sections of the Report which the General Assembly may decide to consider" was adopted. This wording safeguarded the right of the General Assembly, under Article 10 of the Charter to "discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter..."



On the third point at issue, the question of refugees, the Canadian delegation supported on humanitarian grounds the initiative of the United Kingdom delegation in pressing for inclusion of the item as a matter of urgent importance. This was supported by the Preparatory Commission. (For the discussion of the problem of refugees in the General Assembly, see page 52 below.)

### *Languages*

Another matter which produced a lengthy debate was the problem of languages to be used by the General Assembly. In the end the General Assembly supported the recommendation of the Executive Committee that the language rules should be based on the practice of the San Francisco Conference. As a result, English and French are the working languages of the Organization, while Chinese, English, French, Russian and Spanish are the official languages. Speeches may be made in any language and are translated into English and French.

## 2. THE SECURITY COUNCIL

The main issue debated in the Executive Committee was the extent of the preparatory work which should be done for the Security Council. It was argued by some delegations, particularly those of the Soviet Union and the United States, that since the Security Council, unlike the General Assembly, was so organized as to be able to function continuously, the preparatory work for the Council should be confined to drawing up a provisional agenda limited to the initial organizational stage of its first meeting, and to the drafting of a bare minimum of rules of procedure.

The Canadian representative on the Executive Committee urged that the documentation for the initial meetings of the Security Council should be expanded. Otherwise, in view of the key position of the Security Council, as the organ to which is given, under Article 24 of the Charter, "the primary responsibility for the maintenance of international peace and security," the Council might be called upon to deal with urgent political questions before it was thoroughly documented or had worked out its rules of procedure. The absence of adequate rules for the conduct of business alone might involve the Council in lengthy debates on procedure which would reduce its authority and effectiveness. Moreover, the Security Council had to be set up and in operation before some of the other organs of the United Nations could be established. For example, the Security Council must nominate the Secretary-General, while the election of the judges of the International Court of Justice had to be carried on simultaneously by the Security Council and the General Assembly. The Canadian representative urged, therefore, that a set of provisional rules of procedure be worked out as completely as possible, and presented as a recommendation to the Security Council. The Australian representative took the same line.

The documentation finally recommended by the Preparatory Commission was a compromise between conflicting points of view. It consisted of a provisional agenda for the first meetings of the Security Council, a draft directive to the Military Staff Committee, and a very brief and inadequate set of provisional rules of procedure. The experience of the Security Council meetings in London and New York appears to have borne out the views of the Canadian delegation.

Among other issues which arose in the Preparatory Commission, those which precipitated most controversy were (a) provisions for private meetings of the Council; (b) the right of access by Members of the United Nations which are not members of the Council to records of its private meetings; (c) the chairmanship of the Council; and (d) languages to be used in the Council.

The Preparatory Commission recommended that "unless it decides otherwise, the Security Council shall meet in public." Private meetings would thus be an exception. The delegate for Syria championed the right of all Members of the United Nations to consult the records of private meetings of the Security Council. The Canadian position, like that of the majority of the committee, was that the Security Council should be free to decide this question for itself. The Preparatory Commission recommended that the chairmanship of the Security Council should be held by each of its members for one month at a time, in the English alphabetical order of countries. On the question of languages the Preparatory Commission recommended the adoption of rules based on the practice of the San Francisco Conference.

The Canadian delegation to the Preparatory Commission submitted two amendments to the rules of procedure. One of these provided for an orderly procedure for the suspension and amendment of the rules. It was rejected by the committee dealing with the Security Council at the same time as the committee on the Economic and Social Council was adopting the identical amendment, also proposed by the Canadian delegation. The usefulness of such an amendment was demonstrated during the first part of the First Session of the General Assembly.

The other Canadian amendment, providing that decisions of the Council relating to individuals should be taken by secret ballot, was also voted down.

The Canadian delegation proposed that a commentary drafted by the Preparatory Commission on the provisional rules of procedure should be transmitted to the Security Council for its information, and submitted a draft commentary as a basis for discussion. The purpose of the commentary was to provide an explanatory background of the rules for the benefit of those representatives on the Council who had not participated in drawing them up. It was



thought that such a commentary would serve the purpose of clearing up possible misconceptions and misapprehensions about the rules. This proposal was not adopted.

### 3. THE ECONOMIC AND SOCIAL COUNCIL

It has long been recognized that no international organization for the maintenance of peace and security can be adequate which does not include effective machinery for dealing with the world's major economic and social problems. At the San Francisco Conference, the Canadian delegation took an active and energetic part in drafting the section of the Charter which provides for a Council to act as a co-ordinating centre for handling such problems.

Article 55 of the Charter sets forth the obligations of the United Nations in the fields of economic and social co-operation. They include the promotion of higher standards of living, full employment and conditions of economic and social progress; the solution of various international economic, social, health, and related problems; the promotion of international and cultural co-operation; and the promotion of universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

The responsibility for the discharge of these functions is vested in the General Assembly. The Economic and Social Council, composed of eighteen members elected by the General Assembly, acts, in a sense, as the executive organ of the Assembly in the fields of economic and social co-operation.

There are three principal methods by which the Economic and Social Council may carry out its functions. The first is purely advisory. The Council may make or initiate studies, and make recommendations to the General Assembly, to the Members of the United Nations and to other international organizations with respect to matters falling within its general competence. Secondly, the Economic and Social Council may co-ordinate the activities of international organizations set up by separate intergovernmental agreements to deal with specific problems. These international organizations, referred to in the Charter as specialized agencies, include such bodies as the Food and Agriculture Organization, the International Labour Organization, the International Monetary Fund, etc. The Charter provides that these specialized agencies shall be brought into relationship with the United Nations. For this purpose the Economic and Social Council may conclude agreements with them, subject to the approval of the General Assembly.

Finally, the Economic and Social Council may set up commissions or committees under its own direct jurisdiction to deal with problems which are not already being handled by existing special-

ized agencies, or it may call international conferences to discuss particular problems and to set up additional specialized agencies which may be required.

In making preparations for the setting up of the Economic and Social Council, the Executive Committee and the Preparatory Commission had to complete two main tasks: (a) define the structure of the Council and prepare all the necessary documentation for its first meetings; and (b) examine the problems involved in bringing the specialized intergovernmental agencies into relationship with the United Nations.

### *The Structure of the Economic and Social Council*

The Preparatory Commission recommended that the Economic and Social Council should establish the following commissions at its first session:

(a) COMMISSION ON HUMAN RIGHTS, to make studies and formulate recommendations in such matters as civil liberties, freedom of information, protection of minorities, prevention of discrimination, etc.;

(b) ECONOMIC AND EMPLOYMENT COMMISSION, to advise the Council on such problems as economic reconstruction, full employment, and other related matters which are not already being dealt with by any single specialized agency;

(c) TEMPORARY SOCIAL COMMISSION, to survey the general field of social welfare and make recommendations regarding the organization of international co-operation in this field, and also to deal on an interim basis with such problems as the international traffic in women and children;

(d) STATISTICAL COMMISSION, to assist in co-ordinating statistical practices of the various international agencies and of the Members of the United Nations;

(e) COMMISSION ON NARCOTIC DRUGS, to take over from the League of Nations such activities in this field as the Economic and Social Council may find necessary.

In addition to these five commissions to be set up at the first session of the Council, the Preparatory Commission recommended that the Economic and Social Council should establish at an early date three other commissions:

(a) DEMOGRAPHIC COMMISSION, to make studies and advise the Council on matters pertaining to population changes and migration;

(b) TEMPORARY TRANSPORT AND COMMUNICATION COMMISSION, to survey this entire field and to recommend means of developing international co-operation in matters of communication and transport;



(c) FISCAL COMMISSION, to advise the Council on questions of international taxation, fiscal techniques to assist in the prevention of depressions or inflation, and related subjects. In proposing the setting up of of this commission the Canadian delegation drew particular attention to the problem of double taxation which had been greatly aggravated by the heavy increase of tax levies in many nations.

### *Problems of Co-ordination*

The Preparatory Commission also recommended that the Council should consider setting up a commission to organize the machinery for co-ordinating the activities of the various organs of the Council and of the specialized agencies. The membership of this commission would be open to the representatives of the specialized agencies. Since, however, the membership of several of these agencies does not fully coincide with the membership of the United Nations, strong opposition developed to the proposal. It was argued that since the function of co-ordination belonged to the Council itself, there was no need for a separate commission for this purpose. In the end the proposal was rejected.

While recognizing that the United Nations, and particularly the Economic and Social Council, has the task of co-ordinating the policies and activities of specialized agencies, the Canadian delegation pointed out that "the primary responsibility for making such co-ordination possible rests with the Members individually". The Canadian amendment urged each government to ensure that its delegates to specialized agencies should carry with them instructions which harmonize as far as possible with the instructions given to its delegates to the United Nations. The substance of the amendment was adopted by the Preparatory Commission in a slightly altered form, and now reads as follows:

"While the United Nations, and particularly its Economic and Social Council, has the task of co-ordinating the policies and activities of specialized agencies, this task can be performed only if Members individually will assist in making co-ordination possible. The acceptance by each Member of this responsibility for harmonizing its policies and activities in the different fields covered by the specialized agencies and the United Nations will prevent confusion and conflict and enable the United Nations to achieve the purposes of Chapter IX of the Charter."

### *Provisional Agenda and Rules of Procedure*

The Preparatory Commission also drew up a provisional agenda for the first session of the Economic and Social Council. While most of the agenda dealt with organizational matters, one of the items, included at the instance of the United Kingdom delegation, provided

for the discussion of the problem of refugees and of such other urgent matters in the Council's field of competence as might be referred to the Council by the General Assembly, or which the Council might find desirable to put on its agenda. This gave the Council full scope to deal with urgent matters of substance at its first session.

The provisional rules of procedure drawn up for the Council by the Preparatory Commission required the Council to meet at least three times a year, and provision was made for special sessions. Its meetings are to be held at the seat of the United Nations, unless a majority of the Council decide to meet elsewhere. The Preparatory Commission also recommended that the first meeting of the Council should be held within fifteen days after the election of its eighteen members.

The Canadian delegation took an active part in drawing up the provisional rules of procedure for the Economic and Social Council. It submitted two working papers embodying a complete revision of the rules. The papers were designed to simplify them and to bring them into harmony with those of the General Assembly, so as to ensure that the experience in procedure acquired in the Council and in the Assembly would be shared by both these bodies. In the end, a uniform body of recognized international practice would be built up, which would greatly simplify the conduct of international conferences.

The organizational structure recommend for the Council by the Preparatory Commission, the provisional agenda and the provisional rules of procedure were adopted by the General Assembly. Elections to the Council took place on January 14, 1946, and the first session of the Council began in Church House, Westminster, on January 23 (See pages 45-46 below.)

### *Relations with Specialized Agencies*

The Agreement on Interim Arrangements instructed the Preparatory Commission to examine the problems involved in the establishment of the relationships between specialized intergovernmental agencies and the United Nations. The Report of the Preparatory Commission contains an analysis of the whole matter and sets forth a number of general principles, designed to guide the Economic and Social Council in its negotiations with the specialized agencies.

The Preparatory Commission suggested that the agreements negotiated with the specialized agencies should include provisions for the exchange of representatives and secretarial staff between the agency concerned and the United Nations; exchange of information and documents; reciprocal facilities for making recommendations; assistance by the agency in carrying out measures arising from decisions of the Security Council and the Trusteeship Council; conditions under which the agency might request advisory opinions



from the International Court of Justice, and an undertaking by the agency to provide the International Court with such information as might be relevant to the cases being considered by the Court.

The Preparatory Commission also expressed the view that close financial and administrative co-ordination between the agencies and the United Nations would be in the interests of economy and efficiency. It suggested, in particular, that the General Assembly might be empowered to examine the administrative budgets of all specialized agencies. In some cases it might be advisable to go further and to consolidate the budgets of several agencies with the budget of the United Nations. Common administrative services and common technical and statistical services might even be established.

A question which produced much discussion was whether all the specialized agencies should be located at the headquarters of the United Nations. In this matter, as in the suggestions summarized above, the Preparatory Commission recognized that a uniform pattern of relationship could not be established in view of the differences in structure and functions of the various specialized agencies.

The General Assembly transmitted the suggestions of the Preparatory Commission to the Economic and Social Council, which approved them, and at its first session appointed a committee of twelve members, including Canada, to enter into immediate negotiations with a view to bringing five of the specialized agencies into relation with the United Nations on the basis of these principles. These agencies are the Food and Agriculture Organization, the International Labour Organization, the International Monetary Fund, the International Bank for Reconstruction and Development, and the United Nations Educational, Scientific and Cultural Organization. The negotiating committee will report to the Council at its next regular session beginning on May 25, 1946.

#### 4. THE TRUSTEESHIP SYSTEM

At the San Francisco Conference three chapters were included in the Charter which were designed to promote the well-being of dependent peoples. Chapter XI contains a declaration regarding all non-self-governing territories administered by Members of the United Nations; Chapter XII outlines the United Nations trusteeship system under which some of these non-self-governing territories are to be administered, and Chapter XIII makes provision for a Trusteeship Council to supervise the administration of trust territories under the United Nations system.

In the case of all dependencies of Members of the United Nations the interests of the inhabitants are recognized as being paramount. Their political, economic, social and educational advancement is to be promoted. International peace and security are to be furthered. Even in the case of dependencies not administered under the trusteeship system the development of self-

government is a declared aim, and assistance is to be given in the development of free political institutions according to the circumstances of each territory and its peoples and their varying stages of advancement. Protection of the inhabitants against abuse, the encouragement of research, and co-operation with specialized international agencies with a view to promoting the welfare of dependent territories are also undertaken as obligations, while statistical and other technical information relating to social, economic and educational conditions is to be transmitted regularly to the Secretary-General.

In the case of territories placed under the trusteeship system, the inhabitants are to be aided in their progressive development toward self-government or independence, as may be appropriate to the circumstances of each territory and the wishes of the people, and as may be provided in each trusteeship agreement. The principle of equal treatment for all Members of the United Nations in social, economic and commercial matters in trust territories is recognized, and respect for human rights and fundamental freedoms for all is to be encouraged.

Three types of territory may be placed under the trusteeship system: (a) territories now held under mandate; (b) territories which may be detached from enemy states as a result of the second World War; and (c) territories voluntarily placed under the system by states responsible for their administration.

To place any of these territories under the trusteeship system, an individual agreement covering each area must be concluded by the administering state. The agreement must contain the terms under which the particular territory will be administered, and it must designate the authority which will be responsible for the administration. The terms must be agreed upon by the "states directly concerned" and must be approved by the Security Council in respect of areas within the territory which may be designated as strategic, and by the General Assembly in respect of non-strategic areas.

The Trusteeship Council is to consist of all Members of the United Nations administering trust territories, those permanent members of the Security Council which do not administer trust territories, and as many other Members elected for three-year terms by the General Assembly as may be necessary to ensure that one-half of the members of the Trusteeship Council are non-administering states. Thus, the number of states to be elected to the Trusteeship Council will vary with the number of states administering trust territories, and this cannot be determined until a minimum of trusteeship agreements have been concluded and approved. Before a trusteeship agreement can be approved, however, the Trusteeship Council must be already in existence, since under Article 85 of the Charter, the Trusteeship Council is required to assist the General



Assembly in the performance of its functions, including the approval of trusteeship agreements.

It was this procedural difficulty which made it impossible for the General Assembly to set up the Trusteeship Council at the first part of its First Session. To bridge the gap the Executive Committee recommended the creation of a Temporary Trusteeship Committee. The Preparatory Commission, however, was unable to agree to this recommendation. The resolution adopted by the Commission pointed out that the status of two of the categories of trusteeship territories, those which may be detached from enemy states as a result of the war and those voluntarily placed under the trusteeship system by states responsible for their administration, was for the time being uncertain. Immediate action, therefore, could be taken only in respect of the third class of territories, those held under League of Nations mandate. The resolution, therefore, called upon Members of the United Nations which are administering mandates to conclude trusteeship agreements with the "states directly concerned" and to submit these agreements for the approval of the General Assembly.

The United Kingdom took the initiative in this matter when Mr. Bevin, the Foreign Secretary, announced at the Plenary Session of the General Assembly on January 17, 1946, that his Government had decided to enter forthwith into negotiations for placing Tanganyika, the Cameroons and Togoland under the trusteeship system and had started negotiations to this end. The delegates for New Zealand, Australia, Belgium and France followed suit by announcing the readiness of their Governments to negotiate trusteeship agreements concerning certain of their mandates. The delegate for South Africa, however, declared that before his Government could undertake to negotiate a trusteeship agreement concerning South-West Africa, the population of that territory would be consulted as to their wishes, and that arrangements for such consultation had been initiated. Thus at the first part of the First Session of the General Assembly steps were taken by the mandatory powers in the spirit of the recommendation of the Preparatory Commission to set up the Trusteeship Council in the near future.

A problem which produced much discussion in the General Assembly was the interpretation of the phrase "states directly concerned", the expression used in Article 79 of the Charter to describe those governments whose concurrence in the terms of trusteeship agreements is expressly required. The delegate for Iraq wished to broaden the interpretation of this phrase to include not only the mandatory and colonial powers, but also states which had legitimate claims to be consulted on grounds of "cultural, linguistic, economic, social and historical ties". This led to a prolonged and unproductive debate.

In an effort to break the impending deadlock, the Canadian delegate, Mr. Massey, proposed that Members of the United Nations

which desired to place territories under the trusteeship system should issue a declaration of intention naming the states involved. The declaration would be circulated to all Members of the United Nations. Those Members who felt that they were directly concerned could then file their claim to be included in the negotiations. A report on the action taken with regard to such claims would be submitted to the General Assembly for its approval. This proposal was put forth as an interim measure only, until the Trusteeship Council was established and had itself defined the phrase. It was withdrawn, however, when the delegates who had raised the question decided not to press for a definition of the criteria which constituted a state "directly concerned".

A great number of amendments were proposed to the resolution on trusteeship drafted by the Preparatory Commission. All the amendments expressed the genuine concern of their sponsors for the welfare of non-self-governing peoples. A drafting sub-committee, of which Canada was a member, was appointed to draft a final text for adoption by the General Assembly. (See page 71.)

The final text drew attention to the fact that the obligations accepted by the Members of the United Nations under Chapter XI of the Charter "are in no way contingent upon the conclusion of trusteeship agreements or upon the bringing into being of the Trusteeship Council and are, therefore, already in full force". It welcomed the declarations already made by mandatory powers and invited states administering mandates to conclude trusteeship agreements in order that these might be submitted for approval "preferably not later than during the second part of the First Session of the General Assembly". It also instructed the Secretary-General to include information regarding non-self-governing territories in his annual report and to transmit the provisional draft rules of procedure to the Trusteeship Council as soon as it is constituted.

### *Rules of Procedure*

The draft rules of procedure were drawn up by the Preparatory Commission but were not discussed by the General Assembly, since under the Charter the Trusteeship Council must adopt its own rules. Suggested provisions include periodic official visits by representatives of the Trusteeship Council to each of the trust territories and full reports on the activities of the Council. Where terms of trusteeship agreements provide for it, periodic surveys are to be made of the development of political institutions and the capacity for self-government or independence of the inhabitants.



## 5. LEGAL QUESTIONS

Under this heading the Executive Committee and the Preparatory Commission drew up recommendations concerning the registration and publication of treaties, the nomination and election of judges to the new International Court, and the facilities, privileges and immunities to be granted by Members of the United Nations and by the host state to the representatives of Members and to officials of the Organization. In addition, the committees on legal questions of the Executive Committee, the Preparatory Commission and the General Assembly functioned as advisory bodies on all legal problems which arose in the other committees. Most of these problems were of a purely technical and practical character. The two questions which require some comment are the procedure for the nomination and election of judges and the problem of facilities, privileges and immunities.

### *Nomination and Election of Judges*

The Executive Committee had recommended that the election of judges should be held during the first part of the First Session of the General Assembly, so that the International Court could be set up as soon as possible. The Australian delegate objected to this recommendation on the grounds that National Groups would not have enough time to select their candidates, while governments would not have enough time to study the qualifications of the candidates nominated by all the National Groups. This objection was rejected on the grounds that the need for the services of the Court might arise at a very early date and that any avoidable delay in setting up the organs of the United Nations would have an unfortunate effect on public opinion. Moreover, the postponement of the First Session of the General Assembly for a month mitigated to some extent the force of the Australian objection.

The Executive Committee recommended that the election of judges should take place towards the end of the first part of the First Session of the General Assembly. Accordingly, the Executive Secretary was authorized to issue invitations to National Groups to submit the names of their candidates. This was a departure from the text of the Statute of the International Court, under which the Secretary-General is the official authorized to approach National Groups, but was in accord with the provisions of the Interim Arrangements Agreement. The Preparatory Commission approved the action taken by the Executive Committee. The election of judges took place on February 6, 1946. (See page 47.)

### *Convention on Privileges and Immunities*

A large measure of success was achieved by the legal committees of the Preparatory Commission and the General Assembly in drafting the text of a comprehensive convention dealing with the privileges,

immunities and facilities to be accorded to the United Nations by its Members. Under Articles 104 and 105 of the Charter the Members of the United Nations have undertaken to grant to the Organization, its officials and the representatives of its Members the legal capacity, immunities, facilities and privileges necessary for the accomplishment of its purposes. The first draft of the convention was submitted to the Preparatory Commission by the Canadian delegation, and served as the basis of the General Convention which was adopted by the General Assembly.

The Canadian draft emphasized not privileges and immunities, but facilities in such matters as rates on mail, cables, telephone and other communications and freedom from censorship of official correspondence. It also defined such details of the application of Article 105 of the Charter, as the juridical status of the Organization, its immunities from judicial process, search and seizure and restrictions of assets; exemption from certain forms of taxation; and the application of these privileges and immunities to the representatives of Members of the United Nations and officials of the Organization.

The General Assembly also adopted several related resolutions, particularly on the privileges and immunities to be accorded to the members of the International Court of Justice, and on the unification of the privileges and immunities enjoyed by the United Nations and the various specialized agencies. The final texts of these resolutions and of the General Convention, are printed in Appendix B of this report. (See pages 78-87.)

### *Draft Convention with the Host State*

The committee of the Preparatory Commission on the headquarters of the Organization had already discussed the facilities, privileges and immunities to be accorded to the Organization by the host state. The discussion was continued in the legal committee of the General Assembly and resulted in the drawing up of a draft convention between the United Nations and the United States.

The United States delegate, however, made reservations to certain of its sections on the grounds that the right to exempt United States nationals, even if they were officials of the Organization, from taxation and national service obligations was a prerogative of the Congress of the United States. The draft convention was therefore adopted only as a basis for discussion in negotiating with the United States Government. A committee for this purpose was set up by the General Assembly, consisting of the Secretary-General and representatives of Australia, Belgium, Bolivia, China, Cuba, Egypt, France, Poland, the United Kingdom and the Soviet Union.



## 6. THE SECRETARIAT

The key importance of an efficient international administration to serve the complex organization of the United Nations is recognized in Article 7 of the Charter which designates the Secretariat as one of the principal organs of the United Nations. Article 99 of the Charter emphasizes the importance of the Secretary-General by giving him the special power, which the Secretary-General of the League of Nations never had, of bringing to the attention of the Security Council "any matter which in his opinion may threaten the maintenance of international peace and security." The Charter also sets forth certain fundamental principles for establishing and maintaining the truly international character of the Secretariat: the Secretary-General and the staff are not to seek or receive instructions from any government or from any other authority external to the Organization; each Member of the United Nations undertakes to respect the exclusively international character of the Secretariat and not to seek to influence it in the discharge of its responsibilities; in the employment of the staff "the paramount consideration . . . shall be the necessity of securing the highest standards of efficiency, competence and integrity," due regard being paid to the importance of recruiting the staff on as wide a geographical basis as possible.

There was general agreement on these principles in the Executive Committee and the Preparatory Commission. Differences of opinion emerged, however, on the relative importance to be attached to the criteria of personal competence and geographical distribution in selecting the staff, as well as on the part to be played by governments in recommending their nationals for positions on the Secretariat.

The Canadian position throughout these discussions was consistent with Canada's attitude at San Francisco. The Canadian representatives urged that the Secretariat should be a truly international civil service and that the clear language of the Charter, in which the necessity of securing the highest standards of efficiency, competence and integrity is the paramount consideration in the selection of the staff, should be strictly adhered to.

### *Structure of the Secretariat*

The Executive Committee prepared a detailed plan for the organization of the Secretariat, covering such points as the terms and period of appointment of the Secretary-General, the departmental structure of the Secretariat, methods of grading, promotion and recruitment of staff, as well as conditions of employment, including salaries and duration of contracts.

In the Preparatory Commission, however, the United States delegation objected to the plan drawn up by the Executive Committee as restricting too greatly the discretion of the Secretary-

General, and proposed instead that the Secretary-General should be free to organize the Secretariat as he chose. The Canadian delegation felt that the proposals of the Executive Committee still left ample latitude to the Secretary-General and that in organizing the Secretariat he would be greatly assisted if he were provided with at least a skeleton scheme which represented in broad outline the views of the Members of the United Nations.

One of the most contentious issues was the Soviet proposal that each organ of the United Nations should have a separate secretariat. The Executive Committee by a majority vote had recommended a single unified Secretariat, organized on functional lines, to serve all of the organs of the United Nations. The Soviet delegation, however, continued to press for the establishment of a separate secretariat for the Security Council. Since the adoption of the Soviet proposal might tend to place the Council in a privileged position, the debate which ensued became, in a sense, a debate over the relative importance of the Security Council and the General Assembly in the field of international peace and security.

An amendment proposed by the Canadian delegation became the basis of a satisfactory compromise. The basic unity of the Secretariat was maintained but the need of the Security Council for special services from the Secretariat was recognized, both because the Council must be so organized as to be able to function continuously, and also because of its special responsibility for the maintenance of peace and security. To emphasize the special functions of this department it is to be called "Department of Security Council Affairs". As the Report of the Preparatory Commission makes clear, however, only those special units of this department which are concerned with military and enforcement measures will serve the Security Council exclusively. The department as a whole is in reality a political and security department which will serve any organ of the United Nations when it deals with political and security matters.

The General Assembly approved the whole of the Preparatory Commission's Report on the organization of the Secretariat without any amendment of substance. The Secretariat, therefore, consists of six departments and two administrative services, each in charge of an Assistant Secretary-General, as follows:

- Department of Security Council Affairs
- Department of Economic Affairs
- Department of Social Affairs
- Department of Trusteeship and Information from  
Non-Self-Governing Territories
- Department of Public Information
- Legal Department
- Conference and General Services
- Administrative and Financial Services



### *Other Organizational Problems*

A number of other important organizational problems were solved satisfactorily by the Preparatory Commission. One question was whether both economic and social problems should be handled by a single department of the Secretariat or by two separate departments. In view of the broad scope of social problems and the specialized knowledge required for dealing with economic problems, the Preparatory Commission decided in favour of two departments, but the Secretary-General was specially directed to ensure the necessary co-ordination between them.

The Yugoslav delegation proposed that appointments to the Secretariat should be restricted to nationals of Members of the United Nations and that Member governments should be consulted over the appointment of their nationals. This proposal was defeated after a spirited debate. The Canadian delegation took the position that it would not be desirable that governments should intervene directly in putting forward national candidates for the Secretariat, since this might lead to competitions among governments to secure the greatest number of posts for their nationals. The Secretary-General, however, was instructed not to appoint persons "discredited by association with Nazism and Fascism".

The United Kingdom delegation proposed the establishment of a Civil Service Commission to provide recruitment facilities to the United Nations and the specialized agencies. This proposal was supported by Canada and was approved by the Preparatory Commission and the General Assembly.

The Executive Committee recommended that the staff should be appointed on a long-term basis. The Soviet delegation opposed permanency of tenure, partly in order to ensure adequate geographical representation in the Secretariat—which might be difficult to achieve in the initial stages—and partly on the ground that some uncertainty of tenure would improve the quality of work. A subcommittee of the General Assembly, of which a Canadian delegate was chairman, recommended employment on the basis of five-year-term renewable contracts for higher officials, other staff to be appointed for an indeterminate period, subject to an initial probationary period and to review every five years.

The Preparatory Commission set up an expert Technical Advisory Committee on Information on which a member of the Canadian delegation served. The committee recommended that an Information Department should be included in the Secretariat. It suggested that the work of this department should not be "propagandist" and that it should not compete with existing news agencies. An advisory committee should assist the Secretary-General in formulating policy.

### *Salaries and Emoluments of Officials and Staff*

In determining the salaries for the principal posts of the Secretariat, the General Assembly took into account the special factors mentioned in the Report of the Preparatory Commission. These are the wide range of remuneration for comparable work prevailing in the government services of the Members of the United Nations; the more limited prospects of promotion to the highest posts in the Secretariat compared with the prospects of promotion in some of the national services; the cost of living at the headquarters of the United Nations; and the additional expenses which a large proportion of the staff would incur by living away from their own country. Above all, the Assembly recognized the necessity of securing the services of persons of the highest standards of efficiency, competence and integrity.

The General Assembly provided for salaries and emoluments in terms of net amounts in United States dollars. The Secretary-General will receive a salary of \$20,000 together with a representation allowance of \$20,000 per annum. He will, in addition, be provided with a furnished residence. An Assistant Secretary-General will receive a net salary of \$13,500 with allowances ranging from \$7,000 to \$11,500. A Senior Director's salary was set at \$11,000 with allowance of from \$3,000 to \$6,000. The salaries of the staff are to be fixed by the Secretary-General. They will range between those of Directors and the best salaries paid for stenographic, clerical and manual work at the seat of the United Nations.

An Advisory Group of experts on administrative and budgetary questions, under the chairmanship of Mr. Eric Biddle of the United States Treasury Department, was set up by the Preparatory Commission and continued to function during the first part of the First Session of the General Assembly. Its duties included the development of a broad classification plan for all posts of the Secretariat, for grouping the posts by main categories, and within categories by grades, and for the assignment of appropriate salaries to the main categories and grades. These functions are to be continued by an Advisory Group appointed by the Secretary-General.

The General Assembly approved in principle the adoption of schemes for the payment of children's allowances and education grants to members of the staff, as well as a plan for a Provident Fund. The Secretary-General was directed to prepare for submission to the second part of the First Session of the Assembly proposals for a permanent staff retirement scheme, and for injury compensation and compassionate benefits. The Canadian delegation took an active part in the discussions regarding these matters.



### *Tax Equalization: Exemption from Tax of Salaries of the Staff*

This question arose in connection with the problem of salaries and the special convention to be concluded with the United States concerning privileges and immunities. The United States delegation objected to any recommendation to exempt officials from taxation on the grounds that the question whether salaries should be exempt from tax was entirely and exclusively within the jurisdiction of the countries of which the officials were nationals. As an alternative the United States delegation proposed that the budget should carry a contingent appropriation, out of which those officials who had to pay taxes to their national governments would be compensated, so that their earnings would be equalized with the earnings of those officials who had been exempted from taxation.

The Canadian delegation supported a plan originally put forward by the United States and revised by the Advisory Group of experts. Under this plan salaries would be paid on a gross basis and deductions equivalent to income tax would be made by the Organization itself. Pending the exemption of salaries by the Member nations, the employee would be able to claim from the United Nations a refund equivalent to the amount which he paid in taxation to his government; the amount of the refund would be added to the total contribution payable by the Member state which collected the tax. When general exemption by the Member states had been granted, the employees would continue to contribute according to a staff contribution plan. These funds would be available to the Organization. The purpose of making deductions at this stage would be to retain the relationship of salaries and taxes with that prevailing for employees outside the United Nations. This proposal, however, was not generally supported.

The General Assembly finally adopted the proposal to compensate staff for taxes paid from a staff contribution fund.

At the same time the Assembly directed the Secretary-General to "explore with the Members concerned methods of ensuring as soon as possible the application of the principles of equity amongst all Members."

### *Staff Rules and Regulations*

Draft provisional staff regulations were drawn up by the Preparatory Commission and approved by the General Assembly with only minor amendments. They are, however, subject to further amendments in the light of future experience.

The regulations are confined to a statement of general principles on such matters as responsibilities of the staff in the performance of their duties, terms of appointment, probation, promotion and dismissal, salaries, travelling expenses and other related matters. They also include the text of an oath or declaration of loyalty to the

United Nations. One regulation provides that men and women shall be equally eligible for appointments to the staff on a competitive basis; another directs the Secretary-General to make arrangements for in-service training for probationary members of the staff whose earlier educational opportunities have been inadequate or whose language qualifications are deficient.

The latter provision was inserted at the instance of the Canadian delegation. It was designed to benefit particularly those candidates of high character and ability, who owing to various forms of war service would not have the required academic qualifications and would be at a disadvantage in formal examinations. It would also have the long term effect of reconciling the two criteria for appointments, personal capacity and geographical distribution.

The Preparatory Commission drew up detailed draft provisional staff rules to implement these regulations. Unlike the regulations, the staff rules were intended merely as suggestions to the Secretary-General to be applied at his discretion. They were, therefore, not examined in detail by the General Assembly, but were merely transmitted to the Secretary-General for his information, together with some minor amendments submitted by the Canadian delegation.

## 7. FINANCIAL AND BUDGETARY QUESTIONS

In preparing the budgetary and financial provisions for the United Nations, the Executive Committee and the Preparatory Commission as well as the General Assembly were guided by three general principles: (a) the permanent financial arrangements should be so designed as to promote efficient and economical administration; (b) there must be an orderly budgetary procedure which would ensure thorough preparation and examination of the budget, with adequate controls over expenditures; (c) financial controls should not be so used as to frustrate or hinder the execution of policies.

The plan submitted by the Preparatory Commission and elaborated by the General Assembly falls into two main parts: provisional arrangements for financing the United Nations in the initial period pending the adoption of the first annual budget at the second part of the First Session of the General Assembly, and permanent arrangements for the formulation, presentation and execution of the budget, and for the apportionment of expenses among the Members.

### *Provisional Arrangements*

The plan adopted by the General Assembly for the initial period calls for the establishment of a Working Capital Fund of \$25,000,000 (U.S.). This figure was considered sufficiently large to cover the estimated expenditures for the calendar year 1946, the costs of the Preparatory Commission, and the costs incurred before



December 31, 1945, in connection with the convening of the first meeting of the General Assembly, together with a suitable margin. The Fund will consist of advances which will be credited to each Member and which eventually, though not in the first year, may be set off against assessed contributions.

The regular budgets for 1946 and 1947 will be voted by the General Assembly at the second part of its First Session. At the same time the Assembly will give consideration to the level at which the Working Capital Fund should be maintained. The purpose of maintaining the Fund would be to cover possible delays in payment of contributions by Members and to finance supplementary programmes approved by the General Assembly, pending assessment and collection of contributions to cover these items.

A sub-committee under the chairmanship of a Canadian delegate, Mr. L. D. Wilgress, recommended that on a purely provisional basis and without creating any precedents, the initial scale of contributions to the Working Capital Fund should be the average between the first and second year scales of assessments of the Food and Agriculture Organization. This sub-committee also fixed the contributions to be made by those Members of the United Nations who are not members of the Food and Agriculture Organization. Under the provisional scale Canada's share is 4.362% of the total, or \$1,090,500 (U.S.)

The provisional budget of the United Nations for 1946, submitted by the Advisory Group, was approved after considerable discussion in the appropriate committee of the General Assembly at \$21,500,000 (U.S.). This is broken down into the following main items:

(1) For the expenses of sessions, commissions and committees of the General Assembly, the Security Council, the Economic and Social Council and the Trusteeship Council.....	\$ 1,500,000
(2) For the Secretariat.....	16,510,750
(3) For the International Court of Justice.....	617,250
(4) For unforeseen expenses.....	2,000,000
(5) For the estimated expenses of the Preparatory Commission and the convening of the first part of the First Session of the General Assembly up to and including January 31, 1946.....	872,000

It should be emphasized that all the figures given above are purely tentative. The allotment for the Secretariat, for example, is based upon a rough estimate, and includes, moreover, such non-recurring items as rental of temporary office space, purchase of furniture and equipment, as well as transportation and *per diem* costs incidental to the initial movement of staff to the temporary headquarters. Since appointments will be made only as staff is required

to meet the developing needs of the United Nations, this amount is likely to undergo some revision. Items which may need to be met under the heading of unforeseen expenses include indemnities to employees killed or injured while in the service, special meetings not yet provided for, and other similar contingencies.

In view of the provisional nature of the estimates, the Secretary-General was given wide latitude to effect transfers of funds between the various items of the provisional budget. In this matter he will be advised by an Advisory Group of experts, appointed by him.

### *Permanent Arrangements*

The General Assembly approved several resolutions covering not only the provisional budget, but also the main features of the permanent arrangements for financing the United Nations. There are four essential features of this system:

(a) A Standing Advisory Committee for Administrative and Budgetary Questions, composed of nine members, at least two of whom should be financial experts of recognized standing, will be elected by the General Assembly during the second part of the First Session. The committee will examine and report on the budget submitted by the Secretary-General, and advise the General Assembly on any administrative and budgetary matters referred to it, including the budgets of specialized agencies and the financial arrangements between the agencies and the United Nations. This committee will succeed the Advisory Group appointed by the Secretary-General to assist him in the initial stages of organization.

(b) A Standing Expert Committee on Contributions, composed of ten members, was elected by the General Assembly at the first part of the First Session on the basis of broad geographical representation and experience. Its composition is given on page 93 of this report. The main function of this committee will be to prepare a detailed scheme for the apportionment of expenses among the Members according to their capacity to pay, subject to such considerations as income per head of population, temporary dislocation of national economies arising out of the war, and other pertinent factors. The committee will also recommend the contributions to be paid by new Members and report to the General Assembly on appeals by Members for changes in assessment, and on action to be taken if Members default on their contributions.

(c) The annual budget of the Organization will be presented at the second part of the First Session of the General Assembly. It will supersede the provisional budget and neither the form nor the contents of the latter will be considered in any way as a precedent in formulating the regular budget. The General Assembly recommended that the financial year of the United Nations should coincide with



the calendar year and that the budget should be expressed in United States dollars, since most of the administrative expenses will be incurred at the headquarters. After the annual budget has been adopted and the scale of contributions has been approved by the General Assembly, Members will be called upon to make their first annual contributions. At the same session the General Assembly will authorize the second annual budget for the year 1947. Contributions to the second budget will become payable after January 1, 1947.

(d) The Working Capital Fund will be continued as a permanent feature of the financial system. At the second part of the First Session, however, the General Assembly will determine the amount at which the Working Capital Fund should be maintained, the method of timing of consequential set-offs against contributions of Members, and other adjustments.

### *Other Financial Provisions*

With a view to equalizing the opportunities of Members to participate in the activities of the United Nations, the General Assembly decided that the actual travelling expenses of representatives or their alternates to and from meetings of the General Assembly should be borne by the United Nations. The number of persons whose expenses will be so paid is limited to five per Member. Only actual transportation costs by an approved route, exclusive of subsistence, will be reimbursed. This will be done by means of an adjustment in the Member's annual contribution.

The Canadian delegation proposed an amendment to the provisional financial regulations, designed to ensure centralized cash control from the start. This amendment was adopted.

## 8. FUNCTIONS, ASSETS AND ACTIVITIES OF THE LEAGUE OF NATIONS

The Agreement on Interim Arrangements concluded at San Francisco provided that the Preparatory Commission should formulate recommendations concerning the possible transfer of certain functions, activities and assets of the League of Nations which it might be considered desirable for the United Nations to take over on terms to be arranged. The only major point of difference which arose in this connection was over the use of the word "transfer." Certain delegations objected to this word on the grounds that it implied juridical continuity between the League and the United Nations. The Report of the Preparatory Commission speaks, therefore, of the "assumption" by the United Nations of certain functions and powers of the League, the intention being to free the proposed arrangements of any implication of continuity or obligation on the part of the United Nations and to leave the initiative for assuming or refusing to assume certain functions of the League clearly with the new Organization.



The problem falls into three main parts: secretarial functions of the League; powers of a technical and non-political character; and the transfer of League assets to the United Nations.

The secretarial functions of the League are largely formal in character. They include such matters as the custody of international documents; the issue of certified copies; receipt of additional signatures and of instruments of ratification, accession and denunciation; and the circulation of information or documents which the parties to international agreements have undertaken to communicate to each other. It was felt that any interruption in the performance of these functions would be contrary to the interests of all the parties. The General Assembly, therefore, declared its willingness to accept the custody of the instruments and to charge the Secretariat of the United Nations with the task of performing these functions.

The General Assembly requested the Economic and Social Council to survey the technical and non-political functions of the League in order to determine which of them should be assumed by organs of the United Nations or be entrusted to specialized agencies brought into relationship with the United Nations. In the interval between the dissolution of the League and the adoption of measures recommended by the Economic and Social Council, the Council is to continue on a provisional basis the work of the Economic, Financial and Transit Departments of the League, particularly the research and statistical work; the Health Section, particularly the epidemiological service; the Opium Section and the Secretariats of the Permanent Central Opium Board and Supervisory Body. The Secretary-General was requested to take over and maintain the Library and Archives and to complete the League of Nations Treaty Series. For this purpose authorization was granted to the Secretary-General to engage such members of the League personnel as he might select.

The Preparatory Commission set up an *ad hoc* committee of eight members to discuss with the Supervisory Commission of the League of Nations the transfer of the assets of the League to the United Nations, and to draw up parallel recommendations to be made both to the League of Nations Assembly and to the General Assembly of the United Nations.

The common plan, agreed to jointly by the United Nations Committee on League Assets and the Supervisory Commission of the League, is based on three main principles. The first is that the settlement should, as far as possible, be a clean sweep, excluding all questions that might lead to later complications. The second principle is that a definite and final settlement should be sought, particularly as regards the financial aspects of the question. The third principle is that the settlement should be "both just and convenient."



The common plan provides for the transfer to the United Nations of all the land, buildings, equipment, library and archives of the League at Geneva, as well as the premises of the Permanent Court of International Justice at The Hague. The valuation of these assets is based on cost price, in accordance with the recommendation of the Preparatory Commission that the transfer should "in principle imply neither profit nor loss for the United Nations." The provisional valuation of the assets, including gifts, which, however, are to be transferred without cost, was set at about forty-eight million Swiss francs (about \$12,000,000 Canadian).

The common plan provides that the shares in the total credit resulting from the transfer would be distributed in accordance with percentages to be decided by the League of Nations Assembly. The shares of members of the League who are also Members of the United Nations will be credited to them in the books of the United Nations. The General Assembly of the United Nations will then decide on the disposition of these credits and on the date when they should become available. The United Nations, however, will have nothing to do with the claims of non-Members of the United Nations.

It was agreed that the League would use its liquid assets to meet its liabilities and would distribute the remainder under a scheme it would itself decide upon. The United Nations would have no claims whatever to these liquid assets.

Discussions were also held with the Governing Body of the International Labour Organization. It was agreed that the League should, where possible, separate all interests the I.L.O. might have in the assets of the League before the transfer takes place. Provision was made for the transfer to the I.L.O. of its own building in Geneva and for the use by the I.L.O. of the League Assembly Hall, the Library, office accommodation and other facilities. The actual details are to be negotiated later between the I.L.O. and the United Nations.

The question of public loans guaranteed by the League, or issued under its auspices, was discussed in the Preparatory Commission, but no specific recommendation was made in view of the contention of some delegates that these loans were political in character. The General Assembly, however, adopted a resolution which provides that "any request from the parties that the United Nations should assume the exercise of functions or powers entrusted to the League of Nations by treaties, international conventions, agreements and other instruments having a political character" will be examined either by the General Assembly itself or by an appropriate organ of the United Nations.

## 9. THE PERMANENT HEADQUARTERS OF THE ORGANIZATION

This question aroused probably more controversy in the Preparatory Commission than any other. The Executive Committee had discussed at some length the considerations which should govern the selection of the site for the permanent headquarters of the Organization and had prepared a report on the buildings and facilities required by the United Nations. Only one afternoon's meeting, however, had been devoted to the question of the actual site. Nevertheless, at the end of this one meeting, a vote was taken on the proposal that the site should be located in the United States. It was carried by nine votes against three, with two abstentions. Australia, Brazil, Chile, China, Czechoslovakia, Iran, Mexico, the Soviet Union and Yugoslavia voted for the resolution; France, the Netherlands and the United Kingdom voted against. The United States abstained. The Canadian delegation felt that to vote on this issue without more thorough consideration was premature. It therefore abstained.

Thus, when the Preparatory Commission met it had before it the recommendation of the Executive Committee that the site of the headquarters should be in the United States. This created a difficult situation for those who believed that the headquarters should be in Europe, since they felt that their position might be misconstrued as being unfriendly to the United States. It was decided, therefore, that the question should be discussed as though no recommendation had been made. The United States delegation helped to ease the situation by inviting complete frankness and by adopting an attitude of neutrality throughout the discussion.

Almost all the delegations participated in the debate. The Canadian delegation advocated the location of the headquarters in Europe, primarily on the grounds that the most urgent problems with which the United Nations would have to deal related largely to that continent and that, therefore, the location of the headquarters in Europe would be in the best interests of the Organization as a whole. On the other hand, the advocates of a site in the United States argued that the United Nations should be located in a new country free from associations with past conflicts.

Opinion appeared to be so evenly divided that a deadlock threatened to develop. In an effort to avoid this, the Canadian delegation proposed that voting should not take place for countries or continents, but that a series of ballots should be taken on specific sites. Each delegation would write the names of any cities, counties or islands on a secret ballot. The results would be announced after each ballot, and the process would be repeated. The result of a day's voting would tend to narrow down the field of possibilities to



only a few sites, one of which might then secure the necessary two-thirds majority. In this way all the possible sites in the world would have an equal opportunity of being selected.

The Canadian proposal did not, however, win general support. At the conclusion of the debate, a vote was taken on a motion that the headquarters should be in Europe. This was defeated by 25 votes to 23, the Canadian delegation voting for Europe. A vote was then taken on the motion that the headquarters should be in the United States. This was carried by 30 votes to 14, the Canadian delegation voting with the minority. Since the required two-thirds majority had been obtained for this motion, the Canadian delegate moved that the vote should be made unanimous. This was seconded by Mr. Noel-Baker, delegate for the United Kingdom, and carried unanimously. In a subsequent vote it was decided that the headquarters should be located in the eastern part of the United States. Canada voted in favour of this resolution.

While the debate was in progress a number of municipalities on the North American continent sent invitations to the Preparatory Commission to establish the United Nations within their respective communities. A list of localities which had been proposed in this manner was prepared and transmitted to every delegation. Included in this list were the names of several sites in Canada.

At the same time a number of these communities sent delegations to lay their case before the Preparatory Commission. As a matter of courtesy, a sub-committee was set up to hear these representations. The Canadian delegation took the attitude which was adopted by all the delegations, including that of the United States, that the choice of a permanent site was a matter for collective decision and that the broad interests of the United Nations should be the paramount consideration. Consequently, the members of the United Nations were agreed in refraining from pressing the claims of their own countries.

After the decision that the headquarters of the United Nations should be in the eastern part of the United States had been taken, the Preparatory Commission appointed an interim committee of twelve members to submit to the General Assembly a list of up to six cities or areas from which a final choice would be made, and in the interval between the end of the Preparatory Commission and the opening of the General Assembly an inspection group composed of seven members of the interim committee visited the United States to report on suitable areas near Boston and New York. Using the criteria suggested by the interim committee, particularly accessibility to a large metropolis and availability of broad cultural facilities, the inspection group recommended unanimously the North Stamford-Greenwich area, near New York City, as the general area within

which the site of the permanent headquarters should be located. New York City was recommended as the site of the temporary headquarters.

The General Assembly set up an *ad hoc* committee, of which Mr. Wilgress was vice-chairman, to consider the report of the inspection group. A warm discussion took place over the right of the inspection group to recommend only one site, and on the Australian proposal that the temporary headquarters should be located in San Francisco. The French delegation proposed that the decision on the location of the permanent headquarters should be deferred until the second part of the First Session of the General Assembly. Finally, a vote was taken on the recommendation of the interim committee that the temporary headquarters should be in New York City. It was carried by 29 votes against 13 with one abstention, Canada voting for the recommendation. The vote was then made unanimous.

The General Assembly also approved the proposal of the Netherlands delegation, as amended by the Canadian delegation, to set up a Headquarters Commission consisting of nine members. The commission is to make an exhaustive study of the general area recommended by the inspection group and draw up five plans based on the varying assumptions that the United Nations will require an area of 2, 5, 10, 20 or 40 square miles. These plans will be submitted to the second part of the First Session of the General Assembly, and a final decision will then be made as to the exact area required and the exact location of the permanent headquarters. The commission will be assisted by experts, including planning engineers, lawyers, financial advisers, etc., to be designated by the Government of the United States.

## 10. OTHER ORGANIZATIONAL AND PROCEDURAL QUESTIONS

### *Nomination of Candidates*

The Preparatory Commission, as was mentioned above, rejected the proposal to establish a Nominations Committee. The provisional rules of procedure were thus silent on the question whether or not there should be nominations of candidates for official positions and for membership in the Councils. The need to fill this gap became apparent at the first part of the First Session of the General Assembly.

The Ukrainian Delegation proposed that nominations should be obligatory for all elections in the Assembly and that discussion of the qualification of candidates should be permitted. The United Kingdom delegation put forward a compromise proposal requiring nominations of individuals, but allowing these to be made either publicly from the floor of the Assembly, or secretly in writing. In elections to Councils, all Members of the United Nations would be considered as candidates.



A lengthy debate ensued. Those who supported the principle of nominations argued that Members were entitled to know who the candidates were and to discuss openly their qualifications. They felt that open nominations would prevent the drawing up of unofficial lists of candidates and the formation of rival voting blocs. Those who opposed nominations maintained that complete secrecy was the best method of ensuring the absolute freedom and independence of the vote. They argued that if nominations were made in public the prestige of the Member making the nominations would be involved as well as that of the person or state nominated.

The General Assembly rejected the proposal to require nominations and adopted an amendment expressly prohibiting the nomination of individuals. The position with regard to the nomination of states, however, remained undefined as before. The Canadian delegation voted in favour of nominations.

### *Terms of Office of Members of Councils*

The provisional rules of procedure for the General Assembly provided that the term of office of members of the Councils should end on the day their successors were elected. They also provided that the General Assembly should meet in regular session every year on the first Tuesday after September 2. Under these provisions the next elections to the Council should take place at the second part of the First Session of the Assembly in September, 1946.

Owing to the fact, however, that the first elections took place in January, 1946, the question arose whether states elected at that time to the Security Council and the Economic and Social Council should serve their full term of twelve, twenty-four and thirty-six calendar months, or only until the election of their successors at the regular September session of the Assembly. The Assembly was faced with the alternative of either curtailing by four months the terms of office of members of the Councils elected at the first meeting, or dropping the rule that members of Councils should take office immediately upon their election.

The decision of the Assembly was to adhere strictly to the provisions of the Charter. Members will hold office for the full calendar period for which they have been elected. Elections will be held at the regular September meetings, but members of Councils will take their seats when the full terms of office of their predecessors have expired, or in January of the following year. This allows a period of four months between the election of states to the Councils and their assumption of office. This "lame duck" interval might have the positive advantage in some cases of enabling incoming members to arrange for adequate representation on the Councils.

*Structure and Language of United Nations Documents*

Efforts were made in London during the meetings of the Executive Committee, the Preparatory Commission and the General Assembly to ensure that the form of presentation and the language used in the official documents of the United Nations should be as simple and direct as possible. This involved breaking with legal and technical jargon and with a number of formal traditional usages which create a sense of artificiality and are confusing to the general public. The Canadian delegation played a leading part in these efforts to make United Nations documents more easily understandable by the ordinary man.



## SECTION III

### ELECTIONS TO THE ORGANS OF THE UNITED NATIONS

#### 1. THE GENERAL ASSEMBLY

The first General Assembly met on the afternoon of January 10, 1946, under the chairmanship of Dr. Eduardo Zuleta Angel, of Colombia, President of the Preparatory Commission. It proceeded at once to elect M. Paul-Henri Spaak, Belgian Minister for Foreign Affairs, as President of the Assembly. He received 28 votes, including that of Canada. M. Trygve Lie, Foreign Minister of Norway, received 23 votes.

The General Assembly then authorized the Executive Secretary of the Preparatory Commission, Mr. H. M. Gladwyn Jebb, to continue in that capacity until the appointment of the Secretary-General, and to employ the staff he had recruited for the Preparatory Commission as the provisional Secretariat of the United Nations. After adopting its provisional rules of procedure and agenda, the General Assembly elected its seven Vice-Presidents. These are the chief delegates of China, France, the Union of South Africa, the Union of Soviet Socialist Republics, the United Kingdom, the United States and Venezuela. The chairmen, vice-chairmen and rapporteurs of committees were elected separately by their respective committees. A list of these officials is contained in Appendix D of this report.

#### 2. THE SECURITY COUNCIL

On January 12, 1946, the General Assembly proceeded to elect the six non-permanent members of the Security Council. Under Article 23 of the Charter, three non-permanent members were to be chosen at the first elections for a term of one year and three members for a term of two years. In these elections due regard was to be paid "in the first instance to the contributions of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution".

The first ballot gave the following results: Brazil, 47 votes; Egypt and Mexico, 45 votes each; Poland, 39 votes; The Netherlands, 37 votes; Canada, 33 votes; Australia, 28 votes. Iran, Norway and Czechoslovakia obtained six, five and four votes respectively. Two votes were cast for Denmark and one vote each for Belgium, Ethiopia, Greece, Luxembourg, New Zealand, Turkey and Yugoslavia. As the required majority of two-thirds was 34 votes, the following states were declared elected: Brazil, Egypt, Mexico, Poland and The Netherlands.

A second ballot was then taken for the sixth seat. Under the rules of procedure when only one seat remains to be filled the balloting is confined to the two candidates who have obtained the largest number of votes short of the required majority. The voting was, therefore, between Canada and Australia. On the second ballot Australia obtained 27 votes and Canada 23 votes.

A third ballot gave Australia 28 votes and Canada 23. Thereupon, the Canadian delegate, Mr. St. Laurent, moved that no further ballots be taken and that the election of Australia to the Security Council should be made unanimous. In making this motion Mr. St. Laurent said: "The members of the Canadian delegation fully realize how embarrassing it must be to their fellow delegates to go on balloting between two Dominions of the Commonwealth with each of which they have always had such cordial and mutually satisfactory relations". This statement was warmly applauded by the General Assembly. The Australian delegate responded by expressing his personal appreciation as well as the appreciation of his Government for Canada's gesture. Under the rules, however, elections must take place by secret ballot. Accordingly, even after Canada's candidature was withdrawn, a further vote was held which gave Australia 46 votes and Canada 3 votes.

A final series of ballots was taken to determine which of the six non-permanent members should serve the one-year and two-year terms. Brazil, Australia and Poland were chosen for two years; The Netherlands, Egypt and Mexico for one year. Non-permanent members of the Council are not immediately eligible for re-election.

### 3. THE ECONOMIC AND SOCIAL COUNCIL

The Economic and Social Council consists of eighteen members, with six members elected annually for a term of three years. Article 61 of the Charter provides that in the first election six members should be chosen for one year, six members for two years and six members for three years. There are no permanent members of the Council, and retiring members are eligible for immediate re-election.

The voting, which began on January 12, and concluded on January 14, resulted in the election for the three-year term of China, Peru, France, Chile, Canada, and Belgium; for the two-year term, the Soviet Union, the United Kingdom, India, Norway, Cuba, and Czechoslovakia; and for the one-year term, the Ukrainian S.S.R., Greece, Lebanon, the United States, Colombia and Yugoslavia. Canada received 46 votes out of 51 on the first ballot, and 29 votes out of 48 in the balloting for the three-year term.

A similar situation developed in the election to the eighteenth seat on the Economic and Social Council as had developed in the



election to the sixth non-permanent seat on the Security Council. The election of Yugoslavia was made possible only by the withdrawal of New Zealand from the contest.

The Economic and Social Council held its first meeting on January 23, 1946, and chose Sir Ramaswami Mudaliar, the delegate for India, as its first President. Dr. Andrija Stampar of Yugoslavia and M. L. Restrepo of Colombia were elected Vice-Presidents. Canada was represented by the Hon. Paul Martin, Secretary of State, with Mr. L. Rasminsky, Executive Assistant to the Governor of the Bank of Canada, as alternate delegate.

The Economic and Social Council took steps at its first session to establish the five commissions mentioned on page 19, as well as the Temporary Transport and Communications Commission, and a sub-commission on the status of women to report to the Commission on Human Rights. With the exception of the Commission on Narcotic Drugs, which was fully established, and which consists of government representatives, the composition of the other commissions was confined to a relatively small nucleus of members named in their individual capacity by the Council for a term of one year. These "nuclear" commissions are to make recommendations regarding the definitive composition of the commissions at the next session of the Council.

Canada is represented on the Narcotic Drugs Commission and on the Economic and Employment Commission.

The Economic and Social Council also appointed the members of five committees: a Negotiating Committee to enter into immediate negotiations with a view to bringing five specialized agencies into relationship with the United Nations; the Committee on Consultation with Non-Governmental Organizations; the Technical Preparatory Committee of the International Conference on Health; the Committee on Refugees and Displaced Persons; and the Preparatory Committee of the International Conference on Trade and Employment. Canada is a member of each of these committees with the exception of the Committee on Consultation with Non-Governmental Organizations.

The tasks assigned to these committees and the decisions of the Council and of the General Assembly on questions of policy are described in Section IV of the Report. The complete list and composition of the commissions and committees of the Economic and Social Council appears on pages 95-96.

#### 4. THE SECRETARY-GENERAL

Under Article 97 of the Charter, the Secretary-General, who is the chief administrative officer of the Organization, is appointed by the General Assembly upon the recommendation of the Security

Council. On January 29, the Security Council decided in private meeting to recommend Mr. Trygve Lie, Foreign Minister of Norway, and on February 1, the General Assembly appointed Mr. Lie by a secret vote of 46 in favour, 3 opposed, with 2 abstentions.

On the following day Mr. Lie was installed at a brief ceremony in the General Assembly. In assuming office Mr. Lie took the following oath of loyalty to the United Nations:

"I, Trygve Lie, solemnly swear to exercise in all loyalty, discretion and conscience the functions entrusted to me as Secretary-General of the United Nations, to discharge those functions and regulate my conduct with the interests of the United Nations only in view, and not to seek or accept instructions in regard to the performance of my duties from any government or other authority external to the Organization."

## 5. THE INTERNATIONAL COURT OF JUSTICE

Under the provisions of the Statute of the International Court of Justice, the election of its fifteen members is carried on by both the General Assembly and the Security Council independently of one another. To be elected, candidates must obtain an absolute majority of votes in the two organs. Judges are ordinarily elected for nine years and may be re-elected. At the first election, however, five judges were to be elected for a three-year term, five for a six-year term, and five for the regular nine-year term. The decision as to terms of office was made by drawing lots from among the fifteen successful candidates.

Article 2 of the Statute reads as follows: "The Court shall be composed of a body of independent judges, elected regardless of their nationality from among persons of high moral character who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are jurisconsults of recognized competence in international law." Article 9 further provides that the composition of the Court as a whole should be such as to ensure "the representation of the main forms of civilization and of the principal legal systems of the world."

Candidates are nominated by National Groups appointed for this purpose by their governments. Only one of these candidates may be of the same nationality as the nominating group.

The Canadian Government appointed a National Group consisting of the Hon. Thibaudeau Rinfret, Chief Justice of Canada, Chairman; the Hon. Mr. Justice J. C. McRuer of the Supreme Court of Ontario; Mr. E. K. Williams, K.C.; Mr. C. J. Burchell, K.C.; and Mr. W. Kenneth Campbell, Secretary. The Canadian Group nominated the following four candidates: John E. Read, Esq., K.C. (Canada); Mr. Manley O. Hudson (United States); M. Jules Basdevant, LL.D. (France); and Dr. Jose Philadelpho de Barros Azevedo (Brazil).



Elections to the International Court took place on February 6, 1946. Three of the candidates nominated by the Canadian National Group were elected on the first ballot. Among them was Mr. John E. Read, of Halifax, N.S., who had served since 1929 as Legal Adviser in the Department of External Affairs at Ottawa. Before that he was Professor of Law at Dalhousie University and Dean of the Faculty of Law. As a member of the Drafting Committee, Judge Read took part in formulating the Statute of Westminster, and he was Legal Adviser at the Imperial Conferences of 1930, 1932 and 1937. In 1945 he served as Canadian representative on the Committee of Jurists which met in Washington to draft the Statute of the International Court of Justice. Judge Read was also a member of the Canadian delegation to the General Assembly and was elected rapporteur of the sixth committee on legal questions.

At the subsequent drawing of lots for the terms of office, Judge Read drew a three-year term. The full list of the fifteen members of the International Court of Justice is given on page 96.

The Assembly directed the Secretary-General to make arrangements for convening the first session of the Court at The Hague on April 3, 1946.

## SECTION IV

### MAIN QUESTIONS OF POLICY

#### 1. ESTABLISHMENT OF A COMMISSION TO DEAL WITH THE PROBLEMS RAISED BY THE DISCOVERY OF ATOMIC ENERGY

On November 15, 1945, the President of the United States, the Prime Minister of the United Kingdom and the Prime Minister of Canada issued in Washington a joint declaration proposing the establishment of a commission of the United Nations to study the problems raised by the discovery of atomic energy. In December, 1945, at the Moscow Conference of the Foreign Ministers of the United Kingdom, the United States and the Soviet Union, and in subsequent diplomatic negotiations with China and France, agreement was reached on the terms of a joint resolution dealing with this subject, to be presented to the General Assembly.

This resolution was presented by the delegation of the United Kingdom on behalf of the five permanent members of the Security Council and Canada. It was referred to the Political and Security Committee where it was adopted without change by 46 votes to none, with one abstention. On January 24, 1946, the resolution was adopted unanimously by the General Assembly.

In his address to the General Assembly on January 18, Mr. St. Laurent, the Canadian delegate said:

“The possibility of harnessing atomic energy to the purposes of mankind has been demonstrated, and it is now proposed, and proposed by the very nations who appear to have made the greatest advances in that field—and my country is one of them—that the vast problems and possibilities which this discovery has opened before us shall be dealt with within the framework of the United Nations.

“This appears to be a most striking instance of a world problem which is of direct concern to every human being and also of the manner in which it should be handled.”

The resolution provides that with the exception of Canada, which will have the same permanency of membership in the commission as the permanent members of the Security Council, the composition of the commission will be identical with that of the Security Council.

The resolution directs the commission to make specific proposals for extending between all nations the exchange of scientific information for peaceful ends; for the control of atomic energy to the extent necessary to ensure its use only for peaceful purposes; for the elimina-



tion from national armaments not only of atomic weapons, but of all other weapons adaptable to mass destruction; and for effective safeguards by way of inspection and other means to protect complying states against the hazards of violations and evasions.

The commission will submit its reports and recommendations to the Security Council, which is authorized to issue directions to the commission in matters affecting security. The decision as to whether the reports and recommendations of the commission shall be made public rests with the Security Council.

## 2. THE UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION

The United Kingdom delegation drew the attention of the General Assembly to the urgent need for the extension of relief by U.N.R.R.A. to the peoples of countries devastated by war. A draft resolution submitted by the United Kingdom proposed (a) that states signatory to the U.N.R.R.A. Agreement which had not already done so should contribute without delay the further one per cent of their national income to U.N.R.R.A.'s funds, as recommended in August, 1945, by Resolution No. 80 of the U.N.R.R.A. Council; (b) that other peace-loving states which are not signatories to the Agreement should join U.N.R.R.A.; and (c) that the General Assembly should be furnished with full periodic reports on the work of U.N.R.R.A.

Two main amendments were made to this proposal. The Soviet delegation wished to limit the states which were to be invited to join U.N.R.R.A. to Members of the United Nations. The United States delegation proposed the inclusion in the draft resolution of a specific reference to the completion of the work of U.N.R.R.A. by the end of 1946 in Europe, and by March 1947 in the Far East. Both amendments were adopted.

Speaking on the United Kingdom resolution, the Hon. Paul Martin, the Canadian delegate, outlined Canada's contribution to the work of U.N.R.R.A., and supported the proposal that all peace-loving states whether Members of the United Nations or not, should be afforded the opportunity of joining in the work of U.N.R.R.A. The Canadian delegation also proposed some drafting changes to make clear the fact that some states, including Canada, had already contributed the additional funds called for under the Council Resolution of August, 1945.

The resolution, as finally adopted, provides for a committee consisting of Canada, China, the Dominican Republic, France, Greece, New Zealand, Norway, Poland, U.S.S.R., United Kingdom and United States, to consult with states signatory to the U.N.R.R.A. Agreement regarding the additional contribution requested by the Council of U.N.R.R.A., and to urge upon Members of the United

Nations who are not signatories of the U.N.R.R.A. Agreement to join that organization. The resolution also directs the Secretary-General to make arrangements with the Director-General of U.N.R.R.A. with a view to providing the General Assembly with full reports on the work of U.N.R.R.A. and on the progress of rehabilitation in devastated countries.

In the course of the debate on this resolution in the General Assembly, a number of delegates paid warm tribute to the work of U.N.R.R.A., in particular the delegates of Czechoslovakia, Greece, Poland and Yugoslavia, who testified to the vital importance of its work for the peoples of these countries.

### 3. THE FOOD CRISIS

One of the most serious problems which face the world is the alarming fall in world production of wheat and rice, due to the damage caused by war, the shortage and dislocation of labour, the removal of draught animals, and serious droughts in a large number of grain producing countries.

The delegations of China, France, the Soviet Union, the United Kingdom and the United States presented jointly a draft resolution on wheat and rice, setting forth the seriousness of the situation and calling upon all governments and peoples to take "immediate and drastic action to conserve supplies, by securing adequate collection of crops from the producers, by saving food and avoiding waste, and to ensure the maximum production of grain in the coming season." The resolution also urges governments and international organizations concerned with food and agriculture to publish full information on this subject and to take the necessary steps to alleviate the crisis in food.

In submitting the resolution to the General Assembly, Mr. Bevin, the Foreign Secretary of the United Kingdom, declared: "I regard this resolution as a call to the nations in the greatest common cause that ever faced us. Imposed upon war, nature has intervened. She has deprived us of rain. She has restricted our crops. It seems almost as if she had imposed a penalty upon us for our stupidity in fighting. Be that as it may, it is a call from her to use our ingenuity, our resources, our ability and our organization in order that millions of humans may not die, that they may not only survive, but may contribute to the future happiness of mankind."

The Canadian delegation warmly supported this resolution. Speaking on this subject at the plenary session of February 14, Mr. Martin reviewed the food policies of the Canadian Government during the war years, and stated that every effort would be made by Canada to make as much wheat as possible available at the earliest date.



#### 4. REFUGEES

On the initiative of the United Kingdom delegation the question of refugees was included in the agenda of the first part of the First Session of the General Assembly and of the Economic and Social Council as a matter requiring urgent consideration. The United Kingdom delegation pointed out the inadequacy of the existing international machinery for dealing with the problem of refugees and displaced persons, and proposed that the question should be referred to the Economic and Social Council for thorough examination in all its details and for report to the second part of the First Session of the Assembly.

A sharp cleavage of opinion developed between those delegations which, like the Yugoslav and the Soviet delegations, regarded the problem of refugees and displaced persons as primarily political in character, and those delegations which considered the problem to be primarily humanitarian.

The Yugoslav delegation argued that with the defeat of the Axis there was no reason why refugees should not return to their previous homes with the assistance of U.N.R.R.A. If, however, they refused to return for political reasons, it would be unfortunate if the United Nations became responsible for perpetuating the presence outside their own countries of groups of persons who were hostile to the governments of their countries, and therefore, in the view of the Yugoslav delegate, to the purposes of the United Nations.

Those who wished the problem of refugees and displaced persons to be considered primarily in humanitarian terms referred to the preamble of the Charter which speaks of the determination of the United Nations "to reaffirm faith in fundamental human rights, in the dignity and worth of the human person." They insisted that political dissenters who were not war criminals, quislings or traitors should neither be forced to return home nor left to starve. The Canadian delegation supported the proposals and the arguments in this sense advanced by the United Kingdom and the United States delegations.

The resolution which was finally adopted appears on page 69 of this report. It recognizes that the problem is international in scope and nature. It further recognizes that any action taken to assist genuine refugees should not be such as to interfere in any way with the punishment of war criminals, quislings and traitors. *Bona fide* refugees are to be assisted in every way to return to their countries of origin. If, however, after receiving full information about their countries of origin, these refugees should refuse to return, they should not be compelled to do so. In the latter event, they should become the concern of an international body which might be recognized or established by the Economic and Social Council.

In accordance with the terms of this resolution the Economic and Social Council set up a Committee on Refugees and Displaced Persons to carry out promptly a thorough examination of all aspects of the problem, and to report to the second session of the Council to be held in New York on May 25, 1946. The committee, which began its meetings in April, 1946, is composed of the representatives of twenty Members of the United Nations, including Canada. The full list of members is printed on page 95. The Director of the Inter-Governmental Committee on Refugees, the body which was set up at the Evian Conference in 1938 to deal with this problem, and the Director-General of U.N.R.R.A. are to be invited to sit in a consultative capacity. The Committee will be free to carry out investigations and field trips and to take evidence from, or consult with, such persons or bodies as it deems advisable.

## 5. ECONOMIC RECONSTRUCTION

A resolution submitted by the Polish delegation pointed out that the destruction caused by war had resulted in a dangerous lowering in the standards of living and health of nearly one-half of the total population of the world, and that only the full-scale and whole-hearted co-operation of all the United Nations could cope with the problem of reconstruction in the shattered areas.

In adopting this resolution, the General Assembly recognized the problem of reconstructing the countries of Members of the United Nations which had suffered damage as "a grave and urgent matter which should be given very high priority among post-war problems." The Economic and Social Council was directed to examine fully this problem and to present a report embodying its conclusions to the General Assembly.

## 6. INTERNATIONAL CONFERENCE ON TRADE AND EMPLOYMENT

The representative of the United States on the Economic and Social Council proposed a resolution which, after some textual modification, was adopted unanimously by the Council. The resolution provides that the Economic and Social Council should call an International Conference in the latter part of 1946 for the purpose of promoting the expansion of production and the exchange and consumption of goods. This conference is intended to supplement the co-operative economic measures which have already been taken, by further international measures dealing directly with trade barriers and discriminations which stand in the way of an expansion of multilateral trade and by an undertaking on the part of nations to seek full employment.

One of the specific purposes of the conference will be to examine the question of setting up an international trade organization, as a specialized agency of the United Nations. This organization would



have responsibilities in such matters as international agreements relating to (a) the achievement and maintenance of high and stable levels of employment and economic activity; (b) regulations, restrictions and discriminations affecting international trade; (c) restrictive business practices, and (d) intergovernmental commodity arrangements.

The resolution provides further for the establishment of a preparatory committee, of which Canada is a member, to prepare a draft annotated agenda of the conference, including a draft convention, and to report to the Council regarding possible participation of any states which are not Members of the United Nations.

In proposing the resolution, the United States delegate stressed the need for co-operative action if the purposes of the United Nations in the economic field were to be achieved. He explained that the primary purpose of the resolution was to bring under the auspices of the United Nations a project which his Government had initiated before the principal organs of the United Nations had been established.

In seconding the resolution, the Canadian representative welcomed the assumption by the Economic and Social Council of the responsibility for promoting concerted action in this field. In some general observations on the subject matter of the conference, Mr. Martin stressed the importance of the employment aspects of trade, the special responsibility of creditor countries to set the pace in a movement towards less restrictive commercial policies, and the unique opportunity available at the present time for the adoption of more liberal trade arrangements.

## 7. INTERNATIONAL HEALTH CONFERENCE

The San Francisco Conference had unanimously approved a joint resolution of the Brazilian and Chinese delegations that the United Nations should sponsor a conference for the establishment of an international health organization. Several Members of the United Nations had already taken some preparatory steps for the creation of such an organization.

The Economic and Social Council accepted the sponsorship of the International Health Conference and established a technical preparatory committee of sixteen members to prepare a draft annotated agenda and specific proposals for the consideration of the conference. An expert on health from Canada is included in this committee.

## 8. RELATIONS WITH NON-GOVERNMENTAL ORGANIZATIONS

Although the question of relations between the United Nations and non-governmental organizations is primarily an organizational

matter, the discussion which it produced in the General Assembly raised an important question of policy touching on the very structure of the United Nations.

The World Federation of Trade Unions addressed a request to the President of the General Assembly that representatives of their organization should be allowed to sit in the Assembly in a consultative capacity, and to collaborate regularly, under the provisions of Article 71 of the Charter, in the work of the Economic and Social Council, in the hope that at a later stage they would be granted full participation in the work of the Council, including the right to vote.

Article 71 of the Charter reads as follows: "The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned."

The request of the W.F.T.U. was supported by the Ukrainian delegation, which asked that it should be placed on the agenda of the General Assembly. It was agreed unanimously that there could be no question of granting any organization the right to vote in the various organs of the United Nations since this would mean a modification of the Charter. There was, however, a sharp division of opinion on the question of representation in the General Assembly. It was felt strongly by many delegations, including the Canadian, that the principle of representation by governments, which underlies the whole constitution of the United Nations, as set forth in the Charter, would be infringed if this right were granted to a non-governmental organization.

Other delegations proposed that the W.F.T.U. and other international organizations should be represented at meetings of the General Assembly as "official guests", with the privilege of addressing the Assembly on subjects within their special field of interest, but without the right to vote. While the W.F.T.U. request was being discussed several other non-governmental organizations, in particular the American Federation of Labour, and the International Co-operative Alliance, asked that they also should be granted the same status as might be granted to the W.F.T.U. The request of the American Federation of Labour was supported by the United States delegation, and that of the International Co-operative Alliance by the United Kingdom delegation. While all the participants in the debate welcomed every opportunity to draw upon the assistance of non-governmental organizations in achieving the aims of the Charter,



the United Kingdom and United States delegations argued that no special privileges should be given to the W.F.T.U. which could not at the same time be extended to the other organizations.

The resolution which was finally adopted, and which is printed on pages 74-75 of this report, recommends that the Economic and Social Council should, as soon as possible, make arrangements enabling the W.F.T.U., the International Co-operative Alliance, the American Federation of Labour and other non-governmental organizations "whose experience the Economic and Social Council will find necessary to use", to collaborate for purposes of consultation with the Council.

Acting upon this resolution the Economic and Social Council appointed a committee to submit to its next session detailed proposals to implement the recommendation of the General Assembly, particularly with regard to the organizations named in the resolution.

## 9. EXTRADITION AND PUNISHMENT OF WAR CRIMINALS

The General Assembly adopted unanimously a resolution proposed by the Byelorussian delegation dealing with the extradition and punishment of war criminals. As originally worded, the resolution was not considered by many delegations to be sufficiently precise, especially in its definition of war criminals. Accordingly, the resolution, as redrafted in sub-committee, refers to the definition of war crimes and crimes against peace and humanity contained in the Charter of the International Military Tribunal, of August 8, 1945.

The resolution calls upon both Members and non-Members of the United Nations to take all necessary measures with a view to the apprehension of war criminals and their immediate removal to the countries in which the crimes were committed for the purpose of trial and punishment according to the laws of those countries.

## 10. SPAIN

On the motion of the delegation of Panama, the General Assembly adopted a resolution endorsing the declaration of the San Francisco Conference which debarred from membership in the United Nations "states whose regimes have been installed with the help of armed forces of countries which have fought against the United Nations so long as these regimes are in power." The declaration issued at the Potsdam Conference by the United Kingdom, the United States and the Soviet Union had already stated that these powers would not support the application for admission to the United Nations of the present Spanish Government.

The resolution recommends that the Members of the United Nations "should take into account the letter and the spirit of these statements in the conduct of their future relations with Spain."

## APPENDIX A

### STATEMENTS OF CANADIAN POLICY

#### I. ADDRESS BY THE RT. HON. L. S. ST. LAURENT, M.P., BEFORE THE PLENARY SESSION OF THE GENERAL ASSEMBLY, JANUARY 18, 1946

Many speakers have already stated how appropriate it is that the first session of the General Assembly of the United Nations, meeting during the course of the first year of peace, should meet here in London, one of those historic cities which shows so many war scars. These reminders that the idea of nations united in the cause of peace was conceived during the course of the terrible world conflict which has just come to an end, are indeed apt. Is not this Organization the unanimous protest of the civilized peoples against the worthlessness of the mass slaughter of human beings, against the mass destruction of things created to improve human lives? War can no longer be the moral means of establishing, maintaining or restoring justice and order in international relations.

Among the nations here assembled several have drunk deeply of the horror of the war, and it is precisely from one of these nations that we have selected our President. The Canadian delegation desires, Mr. President, to express to you its congratulations and good wishes. We are happy to be presided over by a statesman, whose tact and wisdom are equalled only by his long experience of parliamentary and international assemblies where he has so often expressed his horror of war.

After ratification of the Charter by the Governments which had signed it at San Francisco, much preliminary work remained to be done before it could bear fruit. The Preparatory Commission diligently undertook this essential task and from its work has resulted the report that we are now examining. The Commission worked in an atmosphere of practical and friendly co-operation. The Assembly has excellent reasons to show gratitude to this Commission, the Executive Secretary and the Secretariat. For our part, we also wish to express our admiration for the outstanding contribution, both to the work of the Preparatory Commission and to its spirit, by its President, Dr. Zuleta Angel, representative of Colombia.

The first weeks in the life of the Assembly of the United Nations are bound to be of special significance. We have to pass from the abstract ideal of a world Organization to ensure peace to its concrete realization.

We have the instrument created at San Francisco and we know that the fifty-one nations who signed it there have now ratified it in the most formal manner in which international undertakings can be



made. We must now demonstrate to the millions of common men and women throughout the world, whose eyes are upon us at this time, that this instrument will be strong enough and supple enough for the formidable tasks which appear to await us; that it will be capable of defeating those eternal enemies of any advance in human affairs—fear, suspicion, mistrust, cynicism, despondency, selfish greed and overweening ambition.

It is true that all Member States have pledged themselves in this most solemn manner to fulfil in good faith the obligations assumed by them under the Charter, that they are to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.

It is true that they have undertaken to ensure that States which are not Members of the United Nations shall act in accordance with the same principles so far as may be necessary for the maintenance of international peace and security.

They have undertaken to take effective collective measures for the prevention and removal of threats to the peace and for the suppression of acts of aggression, or other breaches of the peace, and to bring about by peaceful means and in conformity with the principles of justice and international law, the adjustment or settlement of international disputes or situations which might lead to a breach of the peace.

They have also undertaken not to intervene in matters which are essentially within the domestic jurisdiction of any State, or to require Members to submit such matters to settlement under the Charter, with the sole exception that this principle is not to prejudice the application of enforcement measures properly adopted by the Security Council.

We have also agreed that in order to ensure prompt and effective action by the United Nations there shall be a Security Council and that the Security Council shall have conferred upon it primary responsibility for the maintenance of international peace and security; that it shall be assisted by a military staff committee and shall have available, on its call, armed forces, assistance and facilities provided by each of us in accordance with special agreements, to the extent deemed necessary for the purposes of maintaining international peace and security.

We have agreed that the five great powers, whose participation is at all times essential to world security, shall be permanent members of the Security Council.

It is true we have also agreed that, on most important matters, the decisions of the Security Council shall be made by an affirmative vote of seven members including the concurring votes of the per-

manent members, and we have called that the "veto" right of the great powers, and there are many to whom it has given some concern. But is not the Charter itself, its purposes and its principles, solemnly accepted and ratified by those great powers, a firm pledge on which each one of us can implicitly rely that they will use their privileged position only as a sacred trust for the whole of mankind?

We have also provided machinery to deal with the economic and social disorders which produce wars and each one of us has pledged the people of his nation to international co-operation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all, without distinction as to race, sex, language or religion.

Did we not, therefore, have before this meeting opened, the basis for the extension of the rule of law throughout the world, which we regard as essential to free mankind from the dreadful scourge of war, and may we not hope to build upon that basis the structure of an international order that will be both sound and strong?

We can already look back with some satisfaction at some measure of accomplishment. Two of the organs of the United Nations, the Security Council and the Economic and Social Council, have now been brought into being.

The Security Council meets at a time in the world's history when the nations are still recovering from the shock of a terrible convulsion, when the suspicions and fears which war leaves behind it are still in the minds of many men. Its first task will be to see that in this transition period these evil legacies of war are not the cause of further enmities among nations.

The Economic and Social Council, with the network of specialized agencies and commissions which are to be associated with it, will be faced with most formidable tasks and with far-reaching opportunities. It is in a large measure to the Economic and Social Council that we in Canada look to foster those conditions of well-ordered prosperity which will eliminate some of the most dangerous causes of wars, and bring men and nations into new paths of constructive activity.

We sincerely hope that the Council may give speedy and effective leads in the task of world reconstruction and that it will at once welcome, as the Canadian delegation does so warmly, the initiative taken by the United States to bring about an early meeting of an international conference on trade and employment.

The Charter of the United Nations enshrines two principles which are explicitly stated in Article 23 in connection with the election of non-permanent members to the Security Council. It is stated that due regard should specially be paid in these elections "in the first instance to the contribution of Members of the United



Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution.”

Our Government has always attached great importance to the first of these criteria: to what has been called the functional principle. It is not really an abstract principle at all, but a commonsense prerequisite for the success of the Organization. We believe that special responsibilities within the framework of the Organization should be entrusted to those nations which have the means and the will to make the greatest contribution to the solution of the special problem in hand, and that is not because of any selfish interest in the application of the principle involved. It is because we wish to see the greatest possible measure of achievement, believing, as we do, that the interests of our country can best be served by that which best serves the whole community of nations.

Fortunately there is no contraction between this principle and that of equitable geographical distribution. There are enough nations, widely dispersed throughout the world, which have contributions to make to the different sides of the work of the Organization. There is plenty of work and plenty of responsibility for all of us.

May I express the hope that membership in the various organs and agencies of the United Nations will always be regarded as no mere prize or token of prestige, but as an honourable and arduous responsibility to the world community. In the same line of thought the Canadian delegation desires to associate itself unreservedly with what was said yesterday by the Secretary of State for Foreign Affairs of the United Kingdom. We also feel that it is essential to the success of the United Nations that it should have in its Secretariat a strong international civil service.

At the beginning of this, a new venture in international co-operation with an Organization which will increasingly become the world community in action, we should recognize that the achievement of our aims may ere long require some amendment of the Charter. Changes may be needed if we are to give effect in a changing world to the purposes and principles of the United Nations. Let us, therefore, keep our minds open on this subject.

We cannot foresee the nature of all the tasks that may confront us in the future. They may well be on a scale which will necessitate some voluntary abatement of the narrower conceptions of national sovereignty. Sovereignty must not mean liberty to defeat the purposes of international peace and security, to which we are all so solemnly dedicated.

Within democratic and well ordered states, to ensure that the individual shall have free scope to exercise all his activities, except of course those which might interfere with the similar liberty of his fellow citizens, or injure the welfare of the community, it has been



necessary to replace personal redress and privately armed retainers by laws and courts of justice and by officers of the peace. So it should be in the sphere of international affairs.

If this be the way to world government, then the Canadian delegation wholeheartedly supports world government.

Since we met at San Francisco, a new discovery with immense potentialities for good and evil has shaken the world. The possibility of harnessing atomic energy to the purposes of mankind has been demonstrated, and it is now proposed, and proposed by the very nations who appear to have made the greatest advances in that field—and my country is one of them—that the vast problems and possibilities which this discovery has opened before us shall be dealt with within the framework of the United Nations.

This appears to be a most striking instance of a world problem which is of direct concern to every human being and also of the manner in which it should be handled. But it does not stand alone. The achievement of prosperity and of peace, the alleviation of human suffering, and the protection of individual liberty, are also world-wide in their scope and implications. They must also be approached in a boldly imaginative spirit if we are truly to achieve the purposes stated in the preamble to the Charter, “to save succeeding generations from the scourge of war which twice in our lifetime has brought untold sorrow to mankind.”

## II. ADDRESS BY THE HON. PAUL MARTIN, M.P., BEFORE THE ECONOMIC AND SOCIAL COUNCIL, JANUARY 29, 1946

The Canadian Government believes that the Report and recommendations of the Preparatory Commission provide a useful basis for the work of the various committees which it is proposed to set up to consider the organization of the work of the Economic and Social Council and the difficult and complicated question of the relationship with the specialized agencies. The Executive Committee and the Preparatory Commission have expended a great deal of time and thought on the matter and, in the opinion of the Canadian Government, the Council, without feeling in any sense bound to accept their recommendations, should give them every consideration. We shall need all the help we can get in organizing our work, for there are few tasks concerning the United Nations of more vital importance than those to be undertaken by this Council. We represent, one might say, the positive side of the work of the Organization. Our task is not so much to prevent as to do, not so much to avoid the undesirable as to accomplish the good.

The organization of our work must be based in part on the experience of the past and in part on the necessities and practicalities of the present and of the future. The direct forbear of this Council is the



Central Committee recommended in 1939 by the Bruce Committee on the organization of the economic and social work of the League of Nations. The report of the Bruce Committee recommended that executive control of these activities of the League be removed from the Council, which was concerned primarily with diplomatic and political questions, and entrusted to a more technical body. In the set-up of the present organization this separation is the more vital since it removes the work in these technical fields from the special voting procedure which characterize the operations of the Security Council. We should be making a serious mistake in this body if we were to fall into the habit of assigning special prerogatives to any nation or group of nations.

The Charter assigns two types of functions to the Economic and Social Council: the function of recommendation, including study, and the function of co-ordination. The Council is not an executive agency in the ordinary sense of the word. The actions taken to accomplish the high purposes set out in article 55 of the Charter: "to promote higher standards of living, full employment and conditions of economic and social progress and development"—are actions which will be taken by national governments and by those specialized agencies which have executive functions.

To say this is in no sense to deprecate or minimize the importance of our work. But it is essential that we should, from the beginning, keep a sense of proportion and not promise ourselves or others more than we are able to perform. I repeat that the primary responsibility for the pursuit of policies which are designed to accomplish the purposes I have indicated rests and will for the time being continue to rest on national governments. No government can divest itself of this responsibility or use the existence of this body as an excuse for inaction.

In fact no government is likely to attempt to do so. In all parts of the world, whatever may be their shade of political thought, there is a strong and growing sense of the responsibility of the State for maintaining conditions of economic and social well-being throughout its territories. Opinions differ as to the methods by which this should be done and there are of course wide differences (particularly at the present time, as between countries which were ravaged by the war and those which escaped its physical destruction) between the economic resources available to achieve this object. But the purpose in all parts of the world is the same: every government in every country wants to achieve the maximum of economic and social well-being for its own people.

And this very identity of purpose and the strength with which it is held makes our task here the more difficult and the more important.

For the danger lies in the likelihood that countries will be so intent on accomplishing their purpose that they will adopt national

policies without regard to the effect of these policies on other people. It will, therefore, be our task, and it is by no means an easy one, to attempt to harmonize the progressive policies of various Member countries and to ensure that prosperity and well-being in one is not achieved at the cost of depression and poverty in another.

More positively, it will be our task to see that through our commissions and committees the best in modern knowledge and modern science is made available to all parts of the world. It will be our task to see that help, in the way of expert knowledge and advice, is provided to all Members of the Organization who wish to have it, and that those great tasks which can only be undertaken by co-operative action among nations are effectively initiated and effectively carried through.

If we are to accomplish these great purposes we shall obviously have to give the most careful consideration to the structure of our organization. The commission and committee structure recommended by the Preparatory Commission seems, on the whole, a good one. We have some doubts, however, regarding the recommendation contained in paragraph 37 of section 4 of chapter III of the Preparatory Commission's Report to the effect that most commissions should contain a majority of responsible highly-qualified governmental representatives. For the reasons given in the Report we agree that in most cases one would want a majority of the members of a commission to be senior governmental officials who are capable of exerting a certain influence on national policy and who will bring to the commission a sense of what is in fact practical. We also agree that it would be unreasonable to nominate for such purposes a particular official who is unacceptable to his own government. But it would seem to us that most of these commissions should function as expert bodies and not bodies of government representatives. We feel that while it is obviously important that the geographical distribution of the members of the commissions should be so selected as to obtain a fully representative composition, it should not be States but individuals who are selected for membership, though in many cases there would be preliminary consultation with the government of the country of which they are nationals.

Another slight misgiving we have regarding the Preparatory Commission's recommendation regarding commissions is in connection with the recommendation that they be established at this session of the Economic and Social Council. We assume that this means merely that we should now decide to constitute them and lay down their terms of reference, and if so, the Canadian Government is satisfied. But if it were interpreted to mean that the personnel of the commissions should now be named, we doubt whether the Economic and Social Council, which has itself just been constituted, is really equipped to make the best selection at the present time.



The second main part of our problem is the relationship with specialized agencies and the degree and manner of co-ordination. On this question too we feel that the Preparatory Commission has done helpful work and that its observations on this subject will serve as a helpful guide to us in our detailed consideration of the matter.

It is obvious that there are two opposite dangers to be avoided here: the danger of chaotic proliferation of agencies, each going its own way, and the danger of an attempt at excessive centralization. Clearly we must avoid the wasteful duplication of work, the confusion of conflicting recommendations and the undue strain on qualified personnel, which will be difficult enough to find, that would result from complete decentralization of the work in the various specialized branches of the economic and social field.

On the other hand, we must be mindful of the fact that there may be cases where greater vitality and strength will result from greater independence. And we must not forget that some of these agencies are established by the intergovernmental treaty with their authority fairly specifically defined; and in certain cases, such as the International Monetary Fund and the International Labour Organization, there is a specially weighted system of voting which has been designed in relation to the functions of these agencies. Nor can we be unmindful of the fact that membership in the specialized agencies is not common to all Members of the United Nations and that it differs from agency to agency. For all these reasons we feel that there can be no question of the United Nations centralizing all the specialized agencies to the point of absorption, or of our attempting to give these specialized agencies policy directives on matters lying within their own sphere of competence.

On the other hand, it does seem to us of basic importance that the United Nations and the Economic and Social Council should hold the position of the central body in the whole constellation of intergovernmental institutions concerned with economic and social problems. We feel that the task of co-ordination is extremely important. In the final analysis, as is pointed out in paragraph 43 of section 5 of chapter III of the Report of the Preparatory Commission, the task of co-ordinating the policies and activities of the specialized agencies can be performed only if Members will insist on harmonizing their own policies and activities in the different fields. The agreements we are to work out with the specialized agencies should be carefully drawn so as to preserve the co-ordinating strength of the Council, without transgressing on the legitimate rights and duties of the specialized agencies themselves. In the long run we believe that co-ordination and co-operation can be achieved not so much as a result of the precise words which are written into a legal instrument of relationship as through the selection

of men of good will and good sense as the operating heads of the various agencies and through that intimate day-to-day association which, when directed to the accomplishment of great tasks in common, will create its own esprit de corps. If the commissions and the specialized agencies are as fortunate as the Economic and Social Council in the selection of their Presidents, the Canadian Government have no misgivings regarding the relationship problem.

Mr. President, may I say this in conclusion: in the establishment of the Economic and Social Council, in the setting up of its commissions, in the negotiation of relationships with the special-purpose agencies established by intergovernmental agreement, we are opening up a new chapter in the long struggle of mankind to master his environment to the end that the material and economic resources of the world are used for the enrichment and not the destruction of humanity. Our task is not an easy one. We shall have to overcome not only the internal forces in various countries which resist change, but also the scepticism that we shall encounter in many parts of the world regarding the possibility of success in a co-operative effort of this sort. There are those who, notwithstanding the grim experience of the inter-war period, which should have shown that no nation can achieve prosperity in isolation, are still prepared to repeat the old errors. We must turn deaf ears to the false counsels that reach us from such groups. There are those who will maintain that it is unrealistic, idealistic, to strive for a common solution to our problems, that the only realistic course is to recognize that each country will go its own way, carry out its own policies without regard to their effect on others. This, I submit, is a false realism. What the experience of recent generations teaches us is the bitter consequences of such realism. The so-called "realists" were in the saddle during the inter-war period, with results which are only too apparent. The genuinely realistic course for the world to pursue at the present time is to recognize that it is only through co-operation, through mutual understanding and mutual aid that all countries can in fact achieve their maximum potential in economic and social well-being. It is for us to embark resolutely on that course, to let nothing make us swerve from the straight line to our goal. It is in this spirit, with this determination to do all that lies within its power to achieve the success of our work, that the Canadian Government welcomes the formation of the Economic and Social Council and will approach the task of helping to organize its work.



## APPENDIX B

PRINCIPAL RESOLUTIONS ADOPTED BY THE GENERAL  
ASSEMBLY OF THE UNITED NATIONS AT THE  
FIRST PART OF THE FIRST SESSION  
JANUARY 10—FEBRUARY 14, 1946.

## I

RESOLUTION ON THE ESTABLISHMENT OF A COMMISSION TO DEAL  
WITH THE PROBLEMS RAISED BY THE DISCOVERY OF  
ATOMIC ENERGY

Resolved by the General Assembly of the United Nations to establish a commission, with the composition and competence set out hereunder, to deal with the problems raised by the discovery of atomic energy and other related matters:

1. *Establishment of the Commission*

A Commission is hereby established by the General Assembly with the terms of reference set out under Section V below.

2. *Relations of the Commission with the organs of the United Nations*

(a) The Commission shall submit its reports and recommendations to the Security Council, and such reports and recommendations shall be made public unless the Security Council, in the interest of peace and security, otherwise directs. In the appropriate cases the Security Council should transmit these reports to the General Assembly and the Members of the United Nations, as well as to the Economic and Social Council and other organs within the framework of the United Nations.

(b) In view of the Security Council's primary responsibility under the Charter of the United Nations for the maintenance of international peace and security, the Security Council shall issue directions to the Commission in matters affecting security. On these matters the Commission shall be accountable for its work to the Security Council.

3. *Composition of the Commission*

The Commission shall be composed of one representative from each of those States, represented on the Security Council, and Canada when that State is not a member of the Security Council. Each representative on the Commission may have such assistance as he may desire.

#### 4. *Rules of Procedure*

The Commission shall have whatever staff it may deem necessary, and shall make recommendations for its rules of procedure to the Security Council, which shall approve them as a procedural matter.

#### 5. *Terms of Reference of the Commission*

The Commission shall proceed with the utmost despatch and enquire into all phases of the problem, and make such recommendations from time to time with respect to them as it finds possible. In particular the Commission shall make specific proposals:

- (a) for extending between all nations the exchange of basic scientific information for peaceful ends;
- (b) for control of atomic energy to the extent necessary to ensure its use only for peaceful purposes;
- (c) for the elimination from national armaments of atomic weapons and of all other major weapons adaptable to mass destruction;
- (d) for effective safeguards by way of inspection and other means to protect complying States against the hazards of violations and evasions.

The work of the Commission should proceed by separate stages, the successful completion of each of which will develop the necessary confidence of the world before the next stage is undertaken.

The Commission shall not infringe upon the responsibilities of any organ of the United Nations, but should present recommendations for the consideration of those organs in the performance of their tasks under the terms of the United Nations Charter.

## II

### RESOLUTION ON THE UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION

*The General Assembly*, impressed with the imperative urgency that action to facilitate the final stages of the work of UNRRA be taken at the earliest possible date in view of the understanding of the Council of UNRRA that the work of that organization will be completed in Europe by 31 December 1946, and in the Far East by March 1947:

#### 1. Establishes a Committee,

- (a) to consult with States signatory to the UNRRA agreement who have not made or arranged to make the further contributions to UNRRA recommended in Council resolution No. 80 of August 1945, and to urge upon them that they make such contributions with the least possible delay;



- (b) to urge upon Members of the United Nations who are not signatories to the UNRRA agreement to join that organization and thereby to make their contributions to this great humanitarian task.

2. Appoints as members of this committee the representatives of the following countries: Canada, China, Dominican Republic, France, Greece, New Zealand, Norway, Poland, Union of Soviet Socialist Republics, United Kingdom, United States of America, and instructs the Committee to begin its work as soon as possible.

3. Instructs the Secretary-General to seek to make arrangements with the Director-General of UNRRA whereby the General Assembly may be furnished with full reports on the work of UNRRA and on the progress made towards economic rehabilitation in the countries being assisted by UNRRA.

### III

#### RESOLUTION ON WHEAT AND RICE

The damage caused by war and the dislocation of agricultural production resulting from the shortage and dislocation of labour, the removal of draught animals, the shortage of fertilizers and other circumstances connected with the war have caused a serious fall in world production of wheat. In addition, a large number of countries, including some of those which are normally the largest producers of grain, have suffered serious droughts and have therefore reaped abnormally small crops. The supply of rice is also so short as to threaten a famine in certain areas. There is, moreover, a serious risk of grain production in the coming season being insufficient to prevent continuing hunger. For these reasons the world is faced with conditions which may cause widespread suffering and death and consequently set back all plans for reconstruction.

*The General Assembly therefore:*

1. Urges all governments and peoples to take immediate and drastic action, both directly and through the international organizations concerned, to conserve supplies, by securing adequate collection of crops from the producers, by saving food and avoiding waste, and to ensure the maximum production of grain in the coming season.

2. Notes that several of the United Nations have recently announced measures to reserve grain supplies for direct human consumption and to secure increased production.

3. Urges all governments to publish as full information as possible regarding their own supplies and requirements of cereals and the steps they have taken or are prepared to take to achieve the objectives expressed in paragraph 1.

4. Requests the international organizations concerned with food and agriculture to publish full information in their possession on the world food position and the future outlook, and to intensify efforts to obtain as full information as possible on this subject, in order to assist governments in determining their short term and long term agricultural policy.

#### IV

##### RESOLUTION ON REFUGEES

*The General Assembly,*

recognizing that the problem of refugees and displaced persons of all categories is one of immediate urgency and recognizing the necessity of clearly distinguishing between genuine refugees and displaced persons, on the one hand, and the war criminals, quislings and traitors referred to in paragraph (d) below, on the other:

- (a) *decides* to refer this problem to the Economic and Social Council for thorough examination in all its aspects under item 10 of the Agenda for the first session of the Council and for report to the second part of the first session of the General Assembly;
- (b) *recommends* to the Economic and Social Council that it establish a special Committee for the purpose of carrying out promptly the examination and preparation of the report referred to in paragraph (a);
- (c) *recommends* to the Economic and Social Council that it take into consideration in this matter the following principles:
  - (i) this problem is international in scope and nature;
  - (ii) no refugees or displaced persons who have finally and definitely, in complete freedom, and after receiving full knowledge of the fact, including adequate information from the governments of their countries of origin, expressed valid objections to returning to their countries of origin and who do not come within the provisions of paragraph (d) below, shall be compelled to return to their country of origin. The future of such refugees or displaced persons shall become the concern of whatever international body may be recognized or established as a result of the report referred to in paragraphs (a) and (b) above, except in cases where the government of the country where they are established has made an arrangement with this body to assume the complete cost of their maintenance and the responsibility for their protection;



- (iii) the main task concerning displaced persons is to encourage and assist in every way possible their early return to their countries of origin. Such assistance may take the form of promoting the conclusion of bilateral arrangements for mutual assistance in the repatriation of such persons, having regard to the principles laid down in paragraph (c) (ii) above;
- (d) *considers* that no action taken as a result of this resolution shall be of such a character as to interfere in any way with the surrender and punishment of war criminals, quislings and traitors, in conformity with present or future international arrangements or agreements;
- (e) *considers* that Germans being transferred to Germany from other States or who fled to other States from Allied troops, do not fall under the action of this declaration in so far as their situation may be decided by Allied forces of occupation in Germany, in agreement with the governments of the respective countries.

## V

RESOLUTION ON RECONSTRUCTION OF STATES MEMBERS OF THE  
UNITED NATIONS DEVASTATED BY WAR

*Considering:*

that the war of aggression waged on the territories of many Members of the United Nations resulted in the destruction of vast areas of these countries on an unprecedented scale;

that these peace-loving nations, which suffered such an extensive damage, represent nearly one-half of the total population of the world;

that the vast areas representing a big consuming power are virtually eliminated from the normal flow of world trade, so that the whole world economy must be seriously affected;

that the great scale of destruction resulted in most cases in a dangerous lowering in the standard of living and in the health of the population, in a substantial loss of productive capacity and sometimes in the complete destruction of the normal economic activities of the respective countries;

that in order to make good the destruction and so to restore the shaken world economy vast amounts of new capital goods must be invested in the destroyed areas;

that in most cases it would be impossible to deal with the work of reconstruction with the necessary speed and efficiency if the affected countries were limited in this respect to their internal resources and possibilities alone;

that only a full-scale and whole-hearted co-operation of all the United Nations can bring about the right solution of this grave problem;

*the General Assembly:*

1. recognizes the problem of full reconstruction of the countries belonging to Members of the United Nations which suffered substantial war damage as a grave and urgent matter which should be given very high priority among post-war problems;

2. decides to discuss generally this matter under paragraph 17 of its agenda and to transmit it for full examination, to the second committee which shall present to second part of the first session of the General Assembly a report resulting from this examination;

3. asks the Economic and Social Council to place this subject on the agenda of its first meeting, as an urgent matter in the economic and social field, according to paragraph 10 of the provisional agenda of the first meeting of the Council, as proposed by the Preparatory Commission.

## VI

### RESOLUTION ON NON-SELF-GOVERNING PEOPLES

#### I

#### *Non-self-governing peoples*

The United Nations, meeting in its first General Assembly, is keenly aware of the problems and political aspirations of the peoples who have not yet attained a full measure of self-government and who are not directly represented here.

Chapters XI, XII and XIII of the Charter recognize the problems of the non-self-governing peoples as of vital concern to the peace and general welfare of the world community.

By Chapter XI, all the Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount. They accept, as a sacred trust, the obligation to promote to the utmost the well-being of the inhabitants of these territories. To that end they accept certain specific obligations, including the obligation to develop self-government and to assist the inhabitants in the progressive development of their free political institutions.



By Chapters XII and XIII, the Charter provides for the establishment of an international trusteeship system, the basic objectives of which are, among others, to promote the political, economic, social and educational advancement of the inhabitants of trust territories, and to promote their progressive development towards self-government or independence.

The General Assembly regrets that the Trusteeship Council cannot be brought into being at this first part of the first session, not because of any lack of desire to do so but because, before the Trusteeship Council can be established, trusteeship agreements must be concluded.

The General Assembly holds the view that any delay in putting into effect the system of international trusteeship prevents the implementation of the principles of the trusteeship system, as declared in the Charter, and deprives the populations of such territories as may be brought under the trusteeship system of the opportunity of enjoying the advantages arising from the implementation of these principles.

With a view to expediting the conclusion of these agreements and the establishment of the Trusteeship Council, the Preparatory Commission recommended that the General Assembly should call on those Members of the United Nations which are now administering territories held under mandate to undertake practical steps, in concert with the other States directly concerned, for the implementation of article 79 of the Charter.

Without waiting for the recommendation of the Preparatory Commission to be considered by the General Assembly, the Members of the United Nations administering territories held under mandate took the initiative in making declarations in regard to these territories.

*Therefore:*

*with respect to chapter XI of the Charter, the General Assembly,*

1. Draws attention to the fact that the obligations accepted under chapter XI of the Charter by all Members of the United Nations are in no way contingent upon the conclusion of trusteeship agreements or upon the bringing into being of the Trusteeship Council and are, therefore, already in full force;

2. Requests of the Secretary-General to include in his annual report on the work of the Organization, as provided for in article 98 of the Charter, a statement summarizing such information as may have been transmitted to him by Members of the United Nations under article 73 (e) of the Charter relating to economic, social and educational conditions in the territories for which they are responsible other than those to which Chapters XII and XIII apply.

*With respect to chapters XII and XIII of the Charter, the General Assembly:*

3. Welcomes the declarations, made by certain States administering territories now held under mandate, of an intention to negotiate trusteeship agreements in respect of some of those territories, and in respect of Trans-Jordan to establish its independence.

4. Invites the States administering territories now held under mandate to undertake practical steps, in concert with the other States directly concerned, for the implementation of article 79 of the Charter (which provides for the conclusion of agreements on the terms of trusteeship for each territory to be placed under the trusteeship system), in order to submit these agreements for approval, preferably not later than during the second part of the first session of the General Assembly.

*In conclusion, the General Assembly:*

5. Expects that the realization of the objectives of chapters XI, XII and XIII will make possible the attainment of the political, economic, social, and educational aspirations of non-self-governing peoples.

## II

### *Provisional Rules of Procedure of the Trusteeship Council*

The General Assembly requests the Secretary-General to transmit the "Provisional rules of procedure of the Trusteeship Council" (section 2 of Chapter IV of the Preparatory Commission's Report) to the Trusteeship Council as soon as it is constituted.

## VII

### RESOLUTION ON THE EXTRADITION AND PUNISHMENT OF WAR CRIMINALS

#### *The General Assembly*

taking note of the Moscow Declaration of 1 November 1943 by President Roosevelt, Marshal Stalin and Prime Minister Churchill concerning enemy atrocities in the course of the war, and of the declaration by certain allied governments of 13 January and 18 December 1942 concerning the same matter;

taking note of the laws and usages of warfare established by the Fourth Hague Convention of 1907;

taking note of the definition of war crimes and crimes against peace and against humanity contained in the Charter of the International Military Tribunal dated 8 August 1945;

believing that certain war criminals continue to evade justice in the territories of certain States,



*recommends*

that Members of the United Nations forthwith take all the necessary measures to cause the arrest of those war criminals who have been responsible for or have taken a consenting part in the above crimes, and to cause them to be sent back to the countries in which their abominable deeds were done, in order that they may be judged and punished according to the laws of those countries;

*and calls upon*

the governments of States which are not Members of the United Nations also to take all necessary measures for the apprehension of such criminals in their respective territories with a view to their immediate removal to the countries in which the crimes were committed for the purpose of trial and punishment according to the laws of those countries.

## VIII

### RESOLUTION ON SPAIN

1. The General Assembly recalls that the San Francisco Conference adopted a resolution according to which paragraph 2 of article 4 of Chapter II of the United Nations Charter "cannot apply to States whose regimes have been installed with the help of armed forces of countries which have fought against the United Nations so long as these regimes are in power."

2. The General Assembly recalls that at the Potsdam Conference the Governments of the United Kingdom, the United States of America and the Soviet Union stated that they would not support a request for admission to the United Nations of the present Spanish Government "which, having been founded with the support of the Axis powers, in view of its origins, its nature, its record and its close association with the aggressor States, does not possess the necessary qualifications to justify its admission."

3. The General Assembly, in endorsing these two statements, recommends that the Members of the United Nations should act in accordance with the letter and the spirit of these statements in the conduct of their future relations with Spain.

## IX

### RESOLUTION ON REPRESENTATION OF NON-GOVERNMENTAL BODIES ON THE ECONOMIC AND SOCIAL COUNCIL

In connection with the requests of the World Federation of Trade Unions, the American Federation of Labor, the International Co-operative Alliance, and other non-governmental organizations, that their representatives shall be allowed to take part in the work of

the Economic and Social Council, and in accordance with article 71 of the Charter providing for the carrying out by the Economic and Social Council of appropriate consultations with non-governmental organizations,

*The General Assembly recommends*

- (a) that the Economic and Social Council should, as soon as possible, adopt suitable arrangements enabling the World Federation of Trade Unions and the International Co-operative Alliance as well as other international non-governmental organizations whose experience the Economic and Social Council will find necessary to use, to collaborate for purposes of consultation with the Economic and Social Council;
- (b) that the Economic and Social Council should likewise adopt as soon as possible suitable arrangements enabling the American Federation of Labor as well as other national and regional non-governmental organizations whose experience the Economic and Social Council will find necessary to use, to collaborate for purposes of consultation with the Economic and Social Council.

## X

### RESOLUTIONS ON THE TRANSFER OF CERTAIN FUNCTIONS, ACTIVITIES AND ASSETS OF THE LEAGUE OF NATIONS

#### I.

#### FUNCTIONS AND POWERS BELONGING TO THE LEAGUE OF NATIONS UNDER INTERNATIONAL AGREEMENTS

Under various treaties and international conventions, agreements and other instruments, the League of Nations and its organs exercise, or may be requested to exercise, numerous functions or powers for the continuance of which, after the dissolution of the League, it is, or may be, desirable that the United Nations should provide.

Certain Members of the United Nations, which are parties to some of these instruments and are Members of the League of Nations, have informed the General Assembly that at the forthcoming session of the Assembly of the League, they intend to move a resolution whereby the Members of the League would, so far as this is necessary, assent and give effect to the steps contemplated below.



*Therefore:*

1. The General Assembly reserves the right to decide, after due examination, not to assume any particular function or power, and to determine which organ of the United Nations or which specialized agency brought into relationship with the United Nations should exercise each particular function or power assumed.

2. The General Assembly records that those Members of the United Nations which are parties to the instruments referred to above assent by this Resolution to the steps contemplated below and express their resolve to use their good offices to secure the co-operation of the other parties to the instruments so far as this may be necessary.

3. The General Assembly declares that the United Nations is willing, in principle and subject to the provisions of this resolution and of the Charter of the United Nations, to assume the exercise of certain functions and powers previously entrusted to the League of Nations, and adopts the following decisions, set forth in A, B, and C below.

#### *A. Functions Pertaining to a Secretariat*

Under certain of the instruments referred to at the beginning of this resolution, the League of Nations has, for the general convenience of the parties, undertaken to act as custodian of the original signed texts of the instruments, and to perform certain functions, pertaining to a secretariat, which do not affect the operation of the instruments and do not relate to the substantive rights and obligations of the parties. These functions include: the receipt of additional signatures and of instruments of ratification, accession and denunciation; receipt of notice of extension of the instruments to colonies or possessions of a party or to protectorates or territories for which it holds a mandate; notification of such acts to other parties and other interested States; the issue of certified copies; and the circulation of information or documents which the parties have undertaken to communicate to each other. Any interruption in the performance of these functions would be contrary to the interests of all the parties. It would be convenient for the United Nations to have the custody of those instruments which are connected with activities of the League of Nations and which the United Nations is likely to continue.

*Therefore:*

The General Assembly declares that the United Nations is willing to accept the custody of the instruments and to charge the Secretariat of the United Nations with the task of performing for the parties the functions, pertaining to a secretariat, formerly entrusted to the League of Nations.

*B. Functions and Powers of a Technical  
and Non-Political Character*

Among the instruments referred to at the beginning of this resolution are some of a technical and non-political character which contain provisions, relating to the substance of the instruments whose due execution is dependent on the exercise, by the League of Nations or particular organs of the League, of functions or powers conferred by the instruments. Certain of these instruments are intimately connected with activities which the United Nations will or may continue.

It is necessary, however, to examine carefully which of the organs of the United Nations or which of the specialized agencies brought into relationship with the United Nations should, in the future, exercise the functions and powers in question, in so far as they are maintained.

*Therefore:*

The General Assembly is willing, subject to these reservations, to take the necessary measures to ensure the continued exercise of these functions and powers, and refers the matter to the Economic and Social Council.

*C. Functions and Powers Under Treaties, International Conventions,  
Agreements and Other Instruments Having a Political Character*

The General Assembly will itself examine, or will submit to the appropriate organ of the United Nations, any request from the parties that the United Nations should assume the exercise of functions or powers entrusted to the League of Nations by treaties, international conventions, agreements and other instruments having a political character.

II.

NON-POLITICAL FUNCTIONS AND ACTIVITIES OF THE LEAGUE OF NATIONS  
OTHER THAN THOSE MENTIONED IN SECTION I

1. The General Assembly requests the Economic and Social Council to survey the functions and activities of a non-political character which have hitherto been performed by the League of Nations in order to determine which of them should, with such modifications as are desirable, be assumed by organs of the United Nations or be entrusted to specialized agencies which have been brought into relationship with the United Nations. Pending the adoption of the measures decided upon as the result of this examination, the Council should, on or before the dissolution of the League, assume and continue provisionally the work hitherto done by the following League departments: The Economic, Financial and Transit



Department, particularly the research and statistical work; the Health Section, particularly the epidemiological service; the Opium Section and the secretariats of the Permanent Central Opium Board and Supervisory Body.

2. The General Assembly requests the Secretary-General to make provision for taking over and maintaining in operation the Library and Archives and for completing the League of Nations Treaty Series.

3. The General Assembly considers that it would also be desirable for the Secretary-General to engage for the work referred to in paragraphs 1 and 2 above, on appropriate terms, such members of the experienced personnel by whom it is at present being performed as the Secretary-General may select.

### III.

#### TRANSFER OF THE ASSETS OF THE LEAGUE OF NATIONS TO THE UNITED NATIONS

The General Assembly having considered the Report of the Committee set up by the Preparatory Commission to discuss and establish with the Supervisory Commission of the League of Nations a Common Plan for the transfer of the assets of the League of Nations, approves of both the Report of the Committee set up by the Preparatory Commission and of the common plan submitted by it.

### IV.

#### APPOINTMENT OF A NEGOTIATING COMMITTEE

The General Assembly approves of the setting up of a small negotiating committee to assist the Secretary-General in negotiating further agreements in connection with the transfer of certain assets in Geneva, and in connection with the premises in the Peace Palace in The Hague. This committee shall consist of one representative designated by the delegations, if they so desire, of each of the same eight Members as previously constituted the Committee created by the Preparatory Commission: Chile, China, France, Poland, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom and United States of America.

### XI

#### RESOLUTIONS ON THE PRIVILEGES AND IMMUNITIES OF THE UNITED NATIONS

##### I

The General Assembly approves the annexed convention on the privileges and immunities of the United Nations and proposes it for accession by each Member of the United Nations.

CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE UNITED  
NATIONS

Whereas article 104 of the Charter of the United Nations provides that the Organisation shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes, and

Whereas article 105 of the Charter of the United Nations provides that the Organisation shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes and that representatives of the Members of the United Nations and officials of the Organisation shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of the functions in connexion with the Organisation.

Consequently the General Assembly by a resolution adopted on the 13th February, 1946, approved the following convention and proposes it for accession by each Member of the United Nations.

ARTICLE I

*Juridical Personality*

*Section 1.* The United Nations shall possess juridical personality. It shall have the capacity:

- (a) to contract;
- (b) to acquire and dispose of immovable and movable property;
- (c) to institute legal proceedings.

ARTICLE II

*Property, Funds and Assets*

*Section 2.* The United Nations, its property and assets wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except in so far as in any particular case it has expressly waived its immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution.

*Section 3.* The premises of the United Nations shall be inviolable. The property and assets of the United Nations, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.

*Section 4.* The archives of the United Nations, and in general all documents belonging to it or held by it, shall be inviolable wherever located.



*Section 5.* Without being restricted by financial controls, regulations or moratoria of any kind,

- (a) The United Nations may hold funds, gold or currency of any kind and operate accounts in any currency;
- (b) The United Nations shall be free to transfer its funds, gold or currency from one country to another or within any country and to convert any currency held by it into any other currency.

*Section 6.* In exercising its rights under Section 5 above, the United Nations shall pay due regard to any representations made by the Government of any Member in so far as it is considered that effect can be given to such representations without detriment to the interests of the United Nations.

*Section 7.* The United Nations, its assets, income and other property shall be:

- (a) exempt from all direct taxes; it is understood, however, that the United Nations will not claim exemption from taxes which are, in fact, no more than charges for public utility services;
- (b) exempt from customs duties and prohibitions and restrictions on imports and exports in respect of articles imported or exported by the United Nations for its official use. It is understood, however, that articles imported under such exemption will not be sold in the country into which they were imported except under conditions agreed with the Government of that country;
- (c) exempt from customs duties and prohibitions and restrictions on imports and exports in respect of its publications.

*Section 8.* While the United Nations will not, as a general rule, claim exemption from excise duties and from taxes on the sale of movable and immovable property which form part of the price to be paid, nevertheless when the United Nations is making important purchases for official use of property on which such duties and taxes have been charged or are chargeable, Members will, whenever possible, make appropriate administrative arrangements for the remission or return of the amount of duty or tax.

### ARTICLE III

#### *Facilities in Respect of Communications*

*Section 9.* The United Nations shall enjoy in the territory of each Member for its official communications treatment not less favourable than that accorded by the Government of that Member to any other Government, including its diplomatic mission, in the matter of priorities, rates and taxes on mails, cables, telegrams,

radiograms, telephotos, telephone and other communications; and press rates for information to the press and radio. No censorship shall be applied to the official correspondence and other official communications of the United Nations.

*Section 10.* The United Nations shall have the right to use codes and to despatch and receive its correspondence by courier or in bags, which shall have the same immunities and privileges as diplomatic couriers and bags.

#### ARTICLE IV

##### *The Representatives of Members*

*Section 11.* Representatives of Members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations, shall, while exercising their functions and during their journey to and from the place of meeting, enjoy the following privileges and immunities:

- (a) immunity from personal arrest or detention and from seizure of their personal baggage, and, in respect of words spoken or written and all acts done by them in their capacity as representatives, immunity from legal process of every kind;
- (b) inviolability for all papers and documents;
- (c) the right to use codes and to receive papers or correspondence by courier or in sealed bags;
- (d) exemption in respect of themselves and their spouses from immigration restrictions, aliens' registration or national service obligations in the State they are visiting or through which they are passing in the exercise of their functions;
- (e) the same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign Governments on temporary official missions;
- (f) the same immunities and facilities in respect of their personal baggage as are accorded to diplomatic envoys; and also,
- (g) such other privileges, immunities and facilities, not inconsistent with the foregoing as diplomatic envoys enjoy, except that they shall have no right to claim exemption from customs duties on goods imported (otherwise than as part of their personal baggage) or from excise duties or sales taxes.

*Section 12.* In order to secure for the representatives of Members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations, complete freedom of speech and independence in the discharge of their duties, the immunity from legal process in respect of words spoken or written and all acts



done by them in discharging their duties shall continue to be accorded, notwithstanding that the persons concerned are no longer the representatives of Members.

*Section 13.* Where the incidence of any form of taxation depends upon residence, periods during which the representatives of Members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations are present in a State for the discharge of their duties shall not be considered as periods of residence.

*Section 14.* Privileges and immunities are accorded to the representatives of Members not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connection with the United Nations. Consequently a Member not only has the right but is under a duty to waive the immunity of its representative in any case where in the opinion of the Member the immunity would impede the course of justice, and it can be waived without prejudice to the purpose for which the immunity is accorded.

*Section 15.* The provisions of Sections 11, 12 and 13 are not applicable as between a representative and the authorities of the State of which he is a national or of which he is or has been the representative.

*Section 16.* In this article the expression "representatives" shall be deemed to include all delegates, deputy delegates, advisers, technical experts and secretaries of delegations.

## ARTICLE V

### *Officials*

*Section 17.* The Secretary-General will specify the categories of officials to which the provisions of this article and article VII shall apply. He shall submit these categories to the General Assembly. Thereafter these categories shall be communicated to the Governments of all Members. The names of the officials included in these categories shall from time to time be made known to the Governments of Members.

*Section 18.* Officials of the United Nations shall:

- (a) be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity;
- (b) be exempt from taxation on the salaries and emoluments paid to them by the United Nations;
- (c) be immune from national service obligations;

- (d) be immune, together with their spouses and relatives dependent on them, from immigration restrictions and alien registration;
- (e) be accorded the same privileges in respect of exchange facilities as are accorded to the officials of comparable ranks forming part of diplomatic missions to the government concerned;
- (f) be given, together with their spouses and relatives dependent on them, the same repatriation facilities in time of international crisis as diplomatic envoys;
- (g) have the right to import free of duty their furniture and effects at the time of first taking up their post in the country in question.

*Section 19.* In addition to the immunities and privileges specified in section 18, the Secretary-General and all Assistant Secretaries-General shall be accorded in respect of themselves, their spouses and minor children, the privileges and immunities, exemptions and facilities accorded to diplomatic envoys, in accordance with international law.

*Section 20.* Privileges and immunities are granted to officials in the interests of the United Nations and not for the personal benefit of the individuals themselves. The Secretary-General shall have the right and the duty to waive the immunity of any official in any case where, in his opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the United Nations. In the case of the Secretary-General, the Security Council shall have the right to waive immunity.

*Section 21.* The United Nations shall co-operate at all times with the appropriate authorities of Members to facilitate the proper administration of justice, secure the observance of police regulations, and prevent the occurrence of any abuse in connection with the privileges, immunities and facilities mentioned in this article.

## ARTICLE VI

### *Experts on Missions for the United Nations*

*Section 22.* Experts (other than officials coming within the scope of article V) performing missions for the United Nations shall be accorded such privileges and immunities as are necessary for the independent exercise of their functions during the period of their missions, including the time spent on journeys in connection with their missions. In particular they shall be accorded:

- (a) immunity from personal arrest or detention and from seizure of their personal baggage;



- (b) in respect of words spoken or written and acts done by them in the course of the performance of their mission, immunity from legal process of every kind. This immunity from legal process shall continue to be accorded notwithstanding that the persons concerned are no longer employed on missions for the United Nations;
- (c) inviolability for all papers and documents;
- (d) for the purpose of their communications with the United Nations, the right to use codes and to receive papers or correspondence by courier or in sealed bags;
- (e) the same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign governments on temporary official missions;
- (f) the same immunities and facilities in respect of their personal baggage as are accorded to diplomatic envoys.

*Section 23.* Privileges and immunities are granted to experts in the interests of the United Nations and not for the personal benefit of the individuals themselves. The Secretary-General shall have the right and the duty to waive the immunity of any expert in any case where, in his opinion, the immunity would impede the course of justice and it can be waived without prejudice to the interests of the United Nations.

## ARTICLE VII

### *United Nations Laissez-Passer*

*Section 24.* The United Nations may issue United Nations *laissez-passer* to its officials. These *laissez-passer* shall be recognized and accepted as valid travel documents, by the authorities of Members, taking into account the provisions of section 25.

*Section 25.* Applications for visas (where required) from the holders of United Nations *laissez-passer*, when accompanied by a certificate that they are travelling on the business of the United Nations, shall be dealt with as speedily as possible. In addition, such persons shall be granted facilities for speedy travel.

*Section 26.* Similar facilities to those specified in section 25 shall be accorded to experts and other persons who, though not the holders of United Nations *laissez-passer*, have a certificate that they are travelling on the business of the United Nations.

*Section 27.* The Secretary-General, Assistant Secretaries-General and Directors travelling on United Nations *laissez-passer* on the business of the United Nations shall be granted the same facilities as are accorded to diplomatic envoys.

*Section 28.* The provisions of this article may be applied to the comparable officials of specialized agencies if the agreements for relationship made under article 63 of the Charter so provide.

## ARTICLE VIII

*Settlement of Disputes*

*Section 29.* The United Nations shall make provisions for appropriate modes of settlement of:

- (a) disputes arising out of contracts or other disputes of a private law character, to which the United Nations is a party;
- (b) disputes involving any official of the United Nations who by reason of his official position enjoys immunity, if immunity has not been waived by the Secretary-General.

*Section 30.* All differences arising out of the interpretation or application of the present convention shall be referred to the International Court of Justice, unless in any case it is agreed by the parties to have recourse to another mode of settlement. If a difference arises between the United Nations on the one hand and a Member on the other hand, a request shall be made for an advisory opinion on any legal question involved in accordance with article 96 of the Charter and article 65 of the Statute of the Court. The opinion given by the Court shall be accepted as decisive by the parties.

## FINAL ARTICLE

*Section 31.* This convention is submitted to every Member of the United Nations for accession.

*Section 32.* Accession shall be effected by deposit of an instrument with the Secretary-General of the United Nations and the convention shall come into force as regards each Member on the date of deposit of each instrument of accession.

*Section 33.* The Secretary-General shall inform all Members of the United Nations of the deposit of each accession.

*Section 34.* It is understood that, when an instrument of accession is deposited on behalf of any Member, the Member will be in a position under its own law to give effect to the terms of this convention.

*Section 35.* This convention shall continue in force as between the United Nations and every Member which has deposited an instrument of accession for so long as that Member remains a Member of the United Nations, or until a revised general convention has been approved by the General Assembly and that Member has become a party to this revised convention.

*Section 36.* The Secretary-General may conclude with any Member or Members supplementary agreements adjusting the provisions of this convention so far as that Member or those Members are concerned. These supplementary agreements shall in each case be subject to the approval of the General Assembly.



## II

PRIVILEGES AND IMMUNITIES OF THE INTERNATIONAL  
COURT OF JUSTICE

1. THE GENERAL ASSEMBLY, with a view to ensuring that the International Court of Justice shall enjoy the privileges, immunities and facilities necessary for the exercise of its functions and the fulfilment of its purposes, in the country of its seat and elsewhere, invites the members of the Court at their first Session to consider this question and to inform the Secretary-General of their recommendations.

2. THE GENERAL ASSEMBLY decides that the question of the privileges and immunities of the Court shall be considered as soon as possible after the receipt of the recommendations of the Court.

3. THE GENERAL ASSEMBLY recommends that, until further action has been taken, the rules which have been applied to the Permanent Court of International Justice should be observed by Members in relation to the International Court of Justice.

## III

UNIFICATION OF PRIVILEGES AND IMMUNITIES ENJOYED BY THE  
UNITED NATIONS AND THE VARIOUS SPECIALIZED AGENCIES

THE GENERAL ASSEMBLY considers that there are many advantages in the unification as far as possible of the privileges and immunities enjoyed by the United Nations and the various specialized agencies.

While recognizing that not all specialized agencies require all the privileges and immunities which may be needed by others, and that certain of these may, by reason of their particular functions, require privileges of a special nature which are not required by the United Nations itself, the General Assembly considers that the privileges and immunities of the United Nations should be regarded, as a general rule, as a maximum within which the various specialized agencies should enjoy such privileges and immunities as the appropriate fulfilment of their respective functions may require, and that no privileges and immunities which are not really necessary should be asked for.

THEREFORE THE GENERAL ASSEMBLY INSTRUCTS THE SECRETARY-GENERAL to open negotiations with a view to the reconsideration in the light of both the General Convention adopted by the United Nations and of the considerations above, of the provisions under which the specialized agencies at present enjoy privileges and immunities.

## IV

## INSURANCE AGAINST THIRD-PARTY RISKS

It has been found that a frequent source of difficulty is road accidents in which motor cars, owned or driven by persons possessing immunity from legal process, are involved.

It is the intention of the United Nations to prevent the occurrence of any abuse in connection with privileges, immunities and facilities granted to it under Articles 104 and 105 of the Charter and the General Convention on privileges and immunities, which determines the details of the application of these Articles.

THEREFORE THE GENERAL ASSEMBLY instructs the Secretary-General to ensure that the drivers of all official motor cars of the United Nations and all members of the staff, who own or drive motor cars, shall be properly insured against third-party risks.

## V

PRESERVATION OF ACCRUED PENSION RIGHTS OF PERSONS ENTERING  
THE SERVICE OF THE UNITED NATIONS AFTER HOLDING OFFICIAL  
POSITIONS IN THE TERRITORIES OF MEMBERS

In order to facilitate the engagement, as members of the staff of the United Nations, of persons who have accrued pension rights as officials, either of the central Government of Members, or of subordinate governmental or other administrative authorities within the territory of Members, it is desirable that arrangements should be made to secure that accrued pension rights are not lost when such persons accept posts on the staff of the United Nations, by way either of transfer or of secondment.

THEREFORE, THE GENERAL ASSEMBLY RECOMMENDS THAT:

After such discussion with the Secretary-General as may be necessary to settle details the Governments of Members adopt such legislative or administrative measures as may be required to preserve such pension rights.



## APPENDIX C

## CANADIAN DELEGATIONS

TO THE EXECUTIVE COMMITTEE, THE PREPARATORY COMMISSION AND  
THE FIRST PART OF THE FIRST SESSION OF THE GENERAL ASSEMBLY  
OF THE UNITED NATIONS

## 1. CANADIAN DELEGATION TO THE EXECUTIVE COMMITTEE

*Delegate*

Mr. L. B. Pearson, O.B.E., Canadian Ambassador to the United States (August 16-August 29, 1945).

The Hon. W. F. A. Turgeon, K.C., Canadian Ambassador to Belgium (September 17-October 27, 1945).

*Alternate Delegate*

Mr. Escott Reid, Department of External Affairs (Acting Chief Delegate from August 30 to September 16, 1945).

*Advisers*

Mr. D. V. LePan, Office of the Canadian High Commissioner, London.

Mr. J. W. Holmes, Office of the Canadian High Commissioner, London.

## II. CANADIAN DELEGATION TO THE PREPARATORY COMMISSION

*Delegate*

Mr. L. D. Wilgress, Canadian Ambassador to the U.S.S.R.

*Alternate Delegates*

Senator the Hon. A. K. Hugessen, K.C.,

Mr. H. W. Winkler, M.P.,

Mr. Gordon Graydon, M.P.,

Mr. L.-P. Picard, M.P.,

Mr. S. H. Knowles, M.P.

*Advisers*

Mr. Escott Reid, Department of External Affairs,

Mr. A. F. W. Plumptre, Wartime Prices and Trade Board,

Mr. T. W. L. MacDermot, Department of External Affairs,

Mr. E. A. Côté, Department of External Affairs.

*Secretary of the Delegation*

Mr. L. Malania, Department of External Affairs.

*Assistant-Secretary*

Mr. T. L. Carter, Department of External Affairs.

*Administrative Officer*

Miss M. Robertson, Department of External Affairs.

## ASSIGNMENT TO COMMITTEES OF THE PREPARATORY COMMISSION

*Committee 1. General Assembly.*

Mr. Picard,  
Mr. Knowles,  
Assisted by Mr. Carter.

*Committee 2. Security Council.*

Mr. Wilgress,  
Mr. Winkler,  
Assisted by Mr. Reid.

*Committee 3. Economic and Social Council.*

Mr. Graydon,  
Mr. Knowles,  
Assisted by Mr. Plumptre,  
Mr. MacDermot,  
Mr. Carter.

*Committee 4. Trusteeship.*

Mr. Winkler,  
Mr. Knowles,  
Assisted by Mr. Côté.

*Committee 5. Court and Legal.*

Senator Hugessen,  
Assisted by Mr. Côté.

*Committee 6. Administrative and Budgetary.*

Senator Hugessen,  
Assisted by Mr. Plumptre,  
Mr. MacDermot.

*Committee 7. League of Nations.*

Mr. Knowles,  
Mr. Picard,  
Assisted by Mr. Côté.

*Committee 8. General Questions and Headquarters.*

Mr. Wilgress,  
Mr. Winkler,  
Assisted by Mr. Reid,  
Mr. Malania.

*Co-ordination Committee.*

Mr. Escott Reid.



### III. CANADIAN DELEGATION TO THE FIRST PART OF THE FIRST SESSION OF THE GENERAL ASSEMBLY

#### *Delegates*

The Right Hon. L. S. St. Laurent, M.P., Minister of Justice.  
 The Hon. J. G. Gardiner, M.P., Minister of Agriculture.  
 The Hon. Paul Martin, M.P., Secretary of State.  
 The Right Hon. Vincent Massey, High Commissioner for  
 Canada in the United Kingdom.  
 Mr. H. H. Wrong, Associate Under-Secretary of State for  
 External Affairs.

#### *Alternate Delegates*

Mr. J. E. Read, K.C., Legal Adviser, Department of External  
 Affairs.  
 Mr. L. D. Wilgress, Canadian Ambassador to the U.S.S.R.  
 Mr. Pierre Dupuy, C.M.G., Canadian Minister to the Nether-  
 lands.  
 Mr. Gordon Graydon, M.P.  
 Mr. S. H. Knowles, M.P.

#### *Advisers*

Mr. Alfred Rive, Office of the High Commissioner for Canada,  
 London.  
 Mr. L. Rasminsky, Bank of Canada.  
 Mr. Escott Reid, Department of External Affairs.  
 Mr. C. S. A. Ritchie, Department of External Affairs.  
 Mr. G. C. Andrew, Canadian Information Service.  
 Mr. J. W. Holmes, Office of the High Commissioner for Canada,  
 London.  
 Mr. R. A. D. Ford, Department of External Affairs.  
 Mr. J. E. Jones, Department of Finance.  
 Mr. E. A. Côté, Department of External Affairs.  
 Mr. D. V. LePan, Office of the High Commissioner for Canada,  
 London.

#### *Press Officers*

Mr. G. C. Andrew, Canadian Information Service.  
 Mr. Campbell Moodie, Office of the High Commissioner for  
 Canada, London.

#### *Secretary-General*

Mr. L. Malania, Department of External Affairs.

#### *Assistant Secretary*

Mr. T. L. Carter, Department of External Affairs.

#### *Administrative Officer*

Miss M. Robertson, Department of External Affairs.

## ASSIGNMENT TO COMMITTEES OF THE GENERAL ASSEMBLY

*Committee 1. Political and Security Questions.*

Mr. St. Laurent,  
 Mr. Wrong,  
     Assisted by Mr. Reid,  
                   Mr. Ritchie,  
                   Mr. Holmes.

*Committee 2. Economic and Financial Questions.*

Mr. Martin,  
 Mr. Graydon,  
     Assisted by Mr. Rasminsky,  
                   Mr. Rive,  
                   Mr. LePan.

*Committee 3. Social, Humanitarian and Cultural Questions.*

Mr. Gardiner,  
 Mr. Knowles,  
     Assisted by Mr. Rive,  
                   Mr. Andrew,  
                   Mr. Ford,  
                   Mr. Carter.

*Committee 4. Trusteeship.*

Mr. Massey,  
 Mr. Dupuy,  
     Assisted by Mr. Holmes,  
                   Mr. Côté.

*Committee 5. Administrative and Budgetary Questions.*

Mr. Wilgress,  
 Mr. Rasminsky,  
     Assisted by Mr. Reid,  
                   Mr. Jones,  
                   Mr. Malania,  
                   Mr. Ford.

*Committee 6. Legal.*

Mr. Read,  
 Mr. Dupuy,  
     Assisted by Mr. Côté,  
                   Mr. Carter.

*League of Nations Committee.*

Mr. Wrong,  
     Assisted by Mr. Rive,  
                   Mr. Jones.

*Headquarters Committee.*

Mr. Wilgress,  
     Assisted by Mr. Ritchie.



## APPENDIX D

OFFICERS OF THE GENERAL ASSEMBLY AND MEMBERS  
OF THE SECURITY COUNCIL, OF THE ECONOMIC AND  
SOCIAL COUNCIL AND OF THE INTERNATIONAL  
COURT OF JUSTICE

## I.

## GENERAL ASSEMBLY

*President*

H. E. M. Paul-Henri Spaak (Belgium)

*Vice-Presidents*

Chief Delegates of the following countries:

China

France

The Union of South Africa

The Union of Soviet Socialist Republics

The United Kingdom

The United States of America

Venezuela.

*Secretary-General*

Mr. Trygve Lie.

## I. MAIN COMMITTEES

*Committee I* (Political and Security):Chairman: H. E. Dr. Dmitro Z. Manuisky (Ukrainian Soviet  
Socialist Republic)

Vice-Chairman: H. E. M. Joseph Bech (Luxembourg)

Rapporteur: H. E. Dr. Homero Viteri Lafronte (Ecuador)

*Committee II* (Economic and Financial):

Chairman: M. Wacław Kondorski (Poland)

Vice-Chairman: The Hon. Pedro Lopez (Philippine Common-  
wealth)

Rapporteur: Sr. Eduardo del Portillo (Bolivia)

*Committee III* (Social, Humanitarian and Cultural):

Chairman: The Rt. Hon. Peter Fraser (New Zealand)

Vice-Chairman: H. E. Lic. Fernando Soto Harrison (Costa Rica)

Rapporteur: Mme. Frieda Dalen (Norway)

*Committee IV* (Trusteeship):

Chairman: H. E. Dr. Roberto E. MacEachen (Uruguay)

Vice-Chairman: H. E. Blatta Ephrem Tewelde Medhen  
(Ethiopia)

Rapporteur: Dr. Ivan Kerno (Czechoslovakia)

*Committee V (Administrative and Budgetary):*

Chairman: H. E. M. Faris Al-Khoury (Syria)

Vice-Chairman: Dr. Ales Bebler (Yugoslavia)

Rapporteur: H. E. M. Thanassis Agnides (Greece)

*Committee VI (Legal):*

Chairman: H. E. Dr. Roberto Jiménez (Panama)

Vice-Chairman: H. E. M. Per Federspiel (Denmark)

Rapporteur: Mr. J. E. Read (Canada)

## II. PROCEDURAL COMMITTEES

*General Committee:*

President of General Assembly

Vice-Presidents of General Assembly

Chairmen of Six Main Committees

*Credentials Committee:*

Chairman: Denmark

Members:

Byelorussian Soviet Socialist Republic

China

France

Haiti

Paraguay

Philippine Commonwealth

Saudi Arabia

Turkey.

## III. STANDING COMMITTEES

*Advisory Committee for Administrative and Budgetary Questions:*

(Members are to be elected at the second part of the First Session of General Assembly)

*Committee on Contributions:**Three-Year Term:*

Mr. J. P. Brigden (Australia)

Mr. Seymour Jacklin (Union of South Africa)

Dr. Martinez Cabanas (Mexico)

Mr. Nicolai V. Orlov (U.S.S.R.)

*Two-Year Term:*

M. M. Baumont (France)

Sir Cecil Kisch (U.K.)

Sayid Nedim el Pachachi (Iraq)

*One-Year Term:*

Mr. Paul H. Appleby (U.S.A.)

Dr. Chi Chao-ting (China)

M. Pavle Lukin (Yugoslavia)



## IV. AD HOC COMMITTEES

*League of Nations Committee:*

Chairman: H. E. M. Erik Andreas Colban (Norway)

Vice-Chairman: H. E. Sheikh Hafiz Wahba (Saudi Arabia)

Rapporteur: Mr. H. T. Andrews (Union of South Africa)

*Headquarters Committee:*

Chairman: H. E. Dr. Eduardo Zuleta Angel (Colombia)

Vice-Chairman: H. E. Mr. L. D. Wilgress (Canada)

Rapporteur: H. E. M. Nasrollah Entezam (Iran)

## V. COMMISSION OF THE GENERAL ASSEMBLY

*Atomic Energy Commission:**Permanent Members:*

Canada

China

France

U.S.S.R.

United Kingdom

United States

*Non-Permanent Members:**Two Year Term:*

Australia

Brazil

Poland

*One Year Term:*

Egypt

Mexico

The Netherlands

## II

## SECURITY COUNCIL

*Permanent Members:*

China

France

U.S.S.R.

United Kingdom

United States

*Non-Permanent Members:**Two Year Term:*

Australia

Brazil

Poland

*One Year Term:*

Egypt

Mexico

The Netherlands

## III

## ECONOMIC AND SOCIAL COUNCIL

*President:*

The Hon. Dewan Bahadur Sir Ramaswami Mudaliar (India).

*Vice-Presidents:*

Dr. Andrija Stampar (Yugoslavia)

H. E. Dr. Carlos Lleras Restrepo (Colombia).

*Members:**Three Years*

Belgium

Canada

Chile

China

France

Peru

*Two Years*

Cuba

Czechoslovakia

India

Norway

U.S.S.R.

United Kingdom

*One Year*

Colombia

Greece

Lebanon

Ukrainian S.S.R.

United States

Yugoslavia

## COMMISSIONS OF THE ECONOMIC AND SOCIAL COUNCIL

- (i) *Commission on Narcotic Drugs*: Representatives of Canada, China, Egypt, France, India, Iran, Mexico, Netherlands, Peru, Poland, Turkey, United Kingdom, United States, U.S.S.R., and Yugoslavia.
- (ii) *Commission on Human Rights*: Experts from the following countries—Belgium, China, France, India, Norway, Peru, United States, U.S.S.R., Yugoslavia.  
*Sub-Commission on the Status of Women*: Experts from the following countries—China, Chile, Denmark, Dominican Republic, France, India, Lebanon, Poland, U.S.S.R.
- (iii) *Economic and Employment Commission*: Experts from the following countries—Belgium, Canada, China, Colombia, Czechoslovakia, Greece, United Kingdom, United States, U.S.S.R.
- (iv) *Statistical Commission*: Experts from the following countries—Brazil, China, France, India, Norway, Ukrainian S.S.R., United Kingdom, United States, U.S.S.R.
- (v) *Temporary Social Commission*: Experts from the following countries—Colombia, Cuba, Czechoslovakia, France, Greece, Peru, Ukrainian S.S.R., United Kingdom, Yugoslavia.
- (vi) *Temporary Transport and Communications Commission*: Experts from the following countries—Chile, China, Czechoslovakia, India, France, Norway, United Kingdom, United States, U.S.S.R.

## COMMITTEES OF THE ECONOMIC AND SOCIAL COUNCIL

- (i) *Negotiating Committee with Specialized Agencies*: The President, Belgium, Canada, Chile, China, Colombia, Czechoslovakia, France, Norway, United Kingdom, United States, U.S.S.R.
- (ii) *Committee on Consultation with Non-Governmental Organizations*: The President, China, Cuba, France, Greece, Lebanon, Peru, Ukrainian S.S.R., United Kingdom, United States, U.S.S.R., Yugoslavia.
- (iii) *Technical Preparatory Committee of the International Health Conference*: Experts from the following countries—Argentina, Belgium, Brazil, Canada, China, Czechoslovakia, Egypt, France, Greece, India, Mexico, Norway, Poland, United Kingdom, United States, Yugoslavia.
- (iv) *Committee on Refugees and Displaced Persons*: Australia, Belgium, Brazil, Byelorussian S.S.R., Canada, China, Colombia, Czechoslovakia, Dominican Republic, France, Lebanon, Netherlands, New Zealand, Peru, Poland, Ukrainian S.S.R., United Kingdom, United States, U.S.S.R., Yugoslavia.



- (v) *Preparatory Committee of the International Conference on Trade and Employment*: Australia, Belgium, Luxembourg, Brazil, Canada, Chile, Cuba, Czechoslovakia, France, India, Lebanon, Netherlands, New Zealand, Norway, South Africa, United Kingdom, United States, U.S.S.R.

## IV

## MEMBERS OF THE INTERNATIONAL COURT OF JUSTICE

*Nine Year Term:*

M. Jules Basdevant (France)  
 H.E. Dr. Jose Gustavo Guerrero (El Salvador)  
 Sir Arnold Duncan McNair (U.K.)  
 Dr. Alejandro Alvarez (Chile)  
 Dr. J. Philadelpho de Barros Azevedo (Brazil).

*Six Year Term:*

Lic. Isidro Fabela Alfaro (Mexico)  
 Dr. Helge Klaestad (Norway)  
 M. Charles de Visscher (Belgium)  
 Mr. Green H. Hackworth (U.S.A.)  
 Prof. Sergey Borisovich Krylov (U.S.S.R.).

*Three Year Term:*

Dr. Miloran Zoricic (Yugoslavia)  
 Mr. John E. Read (Canada)  
 Dr. Bogdan Winiarski (Poland)  
 H.E. Dr. Abdel Hamid Badawi Pasha (Egypt)  
 Dr. Hsu Mo (China).



















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